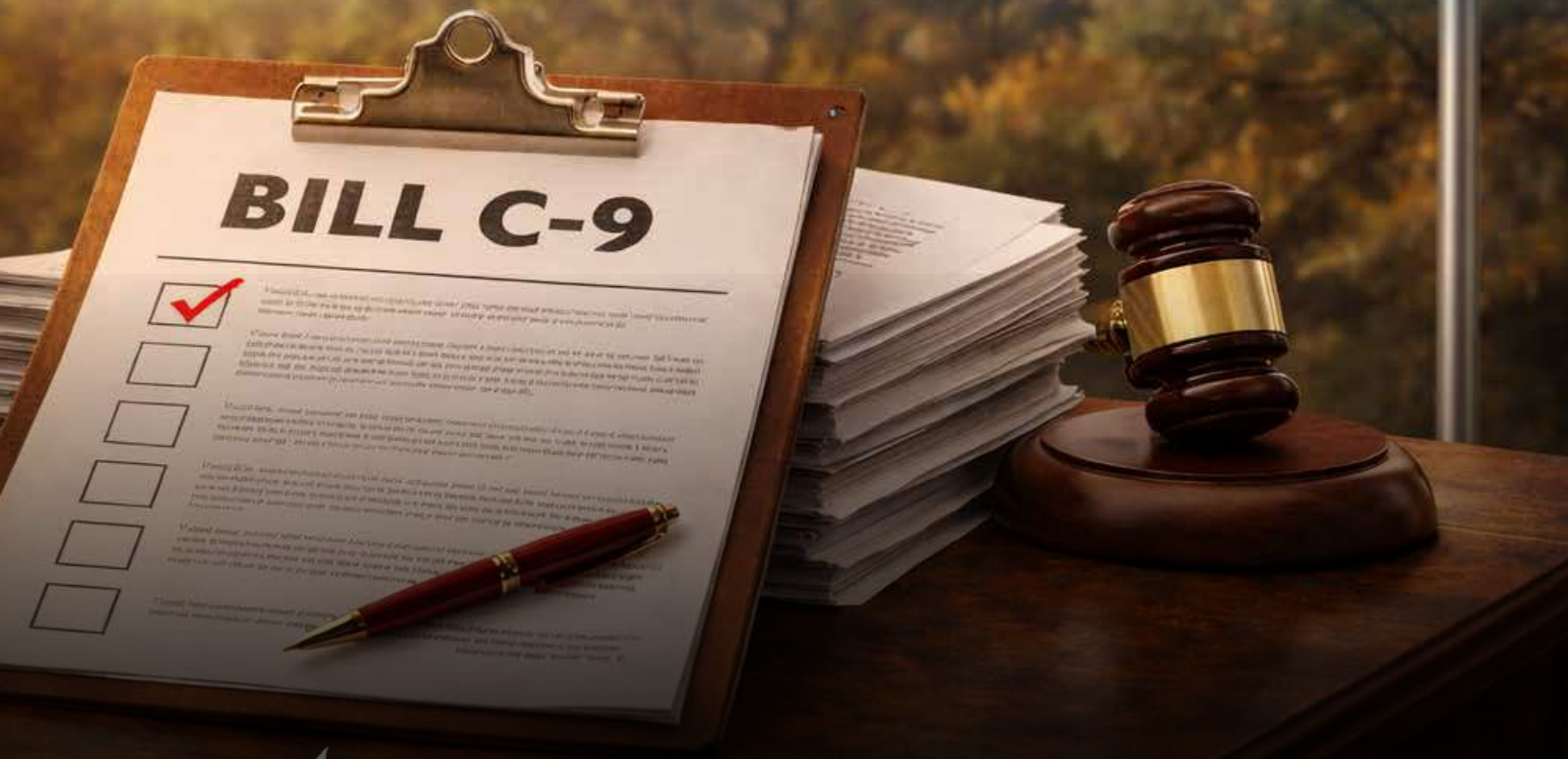


Bill C-9 Explained: What It Means for Freedom of Speech and Religion in Canada





Introduction

Bill C-9 is now law, and it changes how Canadians can communicate and share ideas. While it is presented as a response to alleged rising hate in the country, the way it is written continues to raise serious concerns about freedom of expression and freedom of religion—two core rights protected by the *Charter of Rights and Freedoms*.

This guide explains what *Bill C-9* does, what has recently changed, and why concerns remain. The goal is simple: to give you a clear understanding of what is at stake so you can make informed decisions and respond effectively.

Bill C-9 amends the Criminal Code. It removes a long-standing defence for religious expression, adds new hate-related offences, and creates new offences for intimidation and obstruction around places of worship, schools, and community centres.

Most Canadians agree that true threats, harassment, and incitement to violence should not be protected. The concern is not the goal—but how the law defines and enforces it.



What Has Changed: Key Amendments

Recent amendments have addressed two major concerns raised by legal experts and the public.

Attorney General Consent Requirement Retained

Bill C-9 retains the longstanding rule that no prosecution for promoting hatred can proceed without the consent of the Attorney General. Following public outcry over concerns the safeguard might be dropped, it was left in place in the final bill.

This is an important legal safeguard. It introduces a layer of oversight intended to prevent inappropriate or inconsistent prosecutions.

However, concerns remain. This safeguard still relies on the discretion of a single office. Decisions may vary depending on interpretation, priorities, or ideology. As a result, uncertainty is reduced—but not eliminated.



Definition of “Hatred” Restored to Supreme Court Standard

The bill now defines hatred as: *“An emotion of an intense and extreme nature that is clearly associated with vilification and detestation.”*

This aligns with the definition established by the Supreme Court of Canada, a narrower and more established legal standard.

This change improves clarity of earlier versions of the bill and raises the threshold for what qualifies as hate speech.

However, concerns remain about how the law will be applied in practice, especially when combined with new offences and enforcement tools.



Key Legal Changes That Remain

Despite these improvements, several significant concerns have not been resolved.

Removal of the “Good Faith” Religious Defence

Bill C-9 removes a longstanding defence in the Criminal Code that protected good-faith religious expression of opinions based on religious belief or sacred texts.

This defence has historically protected sermons, religious teaching, theological debate, and moral instruction rooted in sacred texts.

The government has stated that *Charter* protections—particularly freedom of religion—are sufficient.

The concern is that without this explicit defence in the Criminal Code, greater discretion is left to prosecutors and courts. This creates uncertainty for religious leaders and individuals about what is legally protected.



New Offences and Expanded Enforcement Tools

Bill C-9 introduces or expands offences related to the promotion of hatred, including the public display of certain symbols, penalty enhancements for hate-motivated crimes, and new intimidation and obstruction provisions tied to access to spaces.

There is also concern that serious investigative tools, such as wiretaps, DNA orders, and bail conditions, could become available in connection with alleged hate-propaganda offences, and influence bail conditions tied to speech-related charges. These tools are traditionally associated with serious criminal activity. Applying them in speech-related contexts raises proportionality and civil liberties concerns.

Unresolved Ambiguity Around Religious Expression

A clarification in the law states that religious activities such as worship, sermons, prayer, and religious education, are not automatically criminalized.

However, this does not restore the original legal defence. It provides guidance, but not the same level of protection. The result is continued legal uncertainty about how religious expression will be treated in practice.

What Might Protect You

The removal of the good-faith defence does not mean religious or political speech is now illegal. \

Several protections remain:

The bar is high. To be an offence, expression must wilfully promote hatred—defined by the Supreme Court as extreme detestation and vilification, not mere disagreement, offence, or strong opinion.

Consent is required. No hate-propaganda charge can proceed without the Attorney General's consent, which filters out frivolous complaints.

The Charter still applies. Freedom of expression and religion remain constitutionally protected, and courts weigh them heavily.



Good faith still matters. A “greater certainty” clause states that sincere religious, educational, and political discussion is not captured unless it crosses into wilful hatred.

Why This Matters: The *Charter*

The Charter of Rights and Freedoms protects fundamental freedoms that shape daily life in Canada.

Section 2(b) protects freedom of expression.

Section 2(a) protects freedom of religion and conscience.

These rights apply to everyday activities, including speaking, teaching, writing, publishing, and sharing beliefs.

Any law that limits these rights must be clear, justified, and narrowly applied.

Bill C-9 continues to raise concern because it may limit lawful expression through broad scope and uncertain enforcement, even with recent amendments.



Freedom of Expression: What Could Change

Freedom of expression includes the right to share opinions, debate ideas, criticize institutions, and express unpopular views.

Bill C-9 widens the range of expression that could draw a hate-related complaint or charge, and removes a defence that previously protected good-faith religious expression.

Even with a clearer definition of hatred, other parts of the law remain broad enough to affect lawful speech.



The Chilling Effect

When laws are unclear or enforcement is unpredictable, people often self-censor. This leads to fewer open discussions, less debate, and narrower public discourse. This effect is gradual but significant.



Freedom of Religion and Conscience

Freedom of religion includes the right to hold beliefs, practice faith, and share those beliefs publicly.

Bill C-9 affects this right where sincere religious views could be interpreted as crossing the line into the wilful promotion of hatred, now without the specific good-faith defence that once applied.

Without the explicit good-faith defence, individuals must rely more heavily on *Charter* protections, which are enforced after legal challenges rather than before.

Real-World Examples

Faith-Based Organizations



A religious group posts teachings about marriage, family, or morality based on their beliefs. Some people disagree and report the content as hateful. Without the good-faith religious defence, the organization has less protection if a complaint leads to an investigation.



Religious Leaders and Educators

A pastor, rabbi, priest, etc. explains traditional doctrines during a sermon or class. If those teachings conflict with current social norms, they could be accused of promoting hatred.



Individuals Expressing Beliefs

An individual shares their religious perspective on a social issue online. Even if expressed respectfully, it could be alleged as hatred. Over time, individuals may stop sharing their beliefs publicly.



Church Sermons Shared Online

A church uploads weekly sermons to YouTube or social media. A sermon includes traditional teachings on morality or social issues. Someone reports it as hate speech. Even if no action is ultimately taken, the church may stop posting sermons online to avoid complaints or scrutiny.

Church Social Media Pages



A church posts short messages or Bible-based reflections on topics like marriage, family, or ethics. These posts reflect long-standing religious beliefs but may conflict with current cultural views. If a complaint is made, the church may feel pressure to remove past posts or avoid addressing certain topics altogether.

Youth Group or Bible Study Content



A youth group shares discussion materials or recorded sessions online. Topics include identity, relationships, or moral decision-making from a religious perspective.

If someone alleges the discussions promote hatred, churches may limit what is taught or shared publicly, even in educational settings.

Public Statements by Church Leaders



A pastor or church leader writes an article or posts online explaining their faith's position on a current issue. The content is respectful but clear.

If reported as hateful, the leader may face pressure to remove it or avoid speaking publicly in the future.

Church Websites and Written Teachings



Many churches publish statements of belief on their websites, including positions on moral or social issues. Under an uncertain standard, these written beliefs could draw a complaint, leading churches to alter or remove official doctrine from public view.

Livestreamed Services



Churches that livestream services may begin to filter or limit what is said during sermons, knowing that content is being monitored and could be reported. This changes not only what is shared online, but how religious services are conducted.

Community Outreach and Public Events



A church hosts a public seminar or event discussing social issues from a faith perspective and promotes it online.

If the messaging is considered controversial, it could draw a complaint, discouraging future public engagement.

These are not extreme cases—they reflect everyday activities of churches across Canada. When laws are unclear, even routine religious expression can become risky.





Beyond Religion: How *Bill C-9* Affects Everyday Speech

Bill C-9 does not only affect religious expression. Its impact reaches across everyday communication in Canada—from independent writers and social media users to classrooms and public discussion.

The new law creates risk for ordinary, lawful speech. The issue is not just what is prohibited, but what people may choose not to say at all.

When individuals are unsure where the line is, they often stay well back from it. That leads to self-censorship—fewer opinions shared, fewer debates, and less open discussion. The following examples show how this could affect Canadians in practical, everyday situations.

Independent Media and Bloggers



A small independent writer publishes an article criticizing government policy. The tone is strong, and some readers find it offensive. Under an uncertain standard, the content could draw a hate-related complaint. Even if it is ultimately allowed, the risk of complaints or penalties may discourage future writing.

Social Media Users



An individual shares a strong opinion about a social issue. The post sparks disagreement. If someone alleges it promotes hatred, it could trigger a complaint or investigation. The result: people begin to avoid sharing honest opinions.

Academic and Educational Settings



A teacher presents multiple viewpoints on a controversial topic. Some students find one perspective offensive. Under a broad standard, the material could be questioned or challenged.

This can limit open discussion—one of the core purposes of education.

Unresolved Ambiguity Around Religious Expression

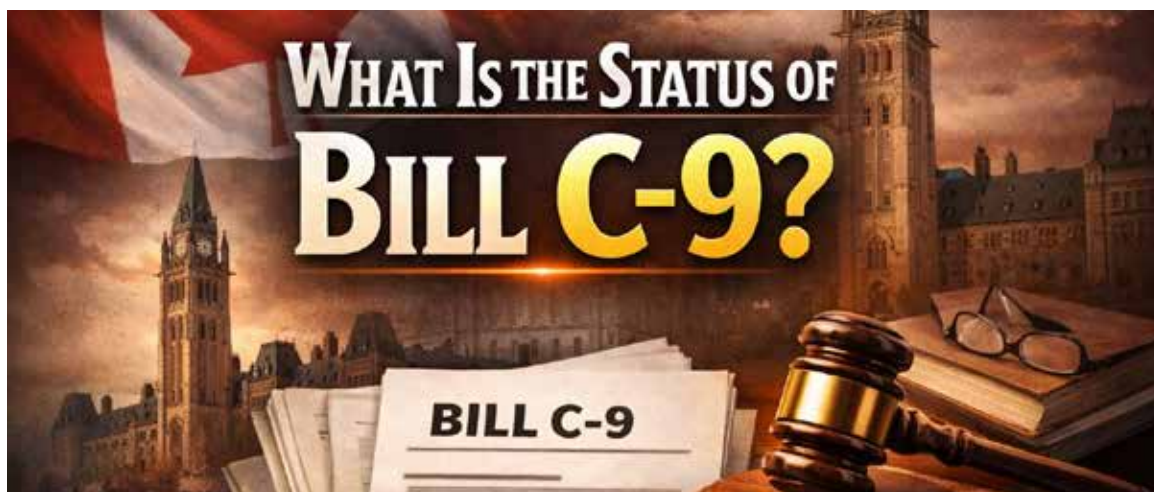
A clarification in the law states that religious activities such as:

- Worship
- Sermons
- Prayer
- Religious education

are not, on their own, automatically criminalized.

However: This does not restore the original legal defence. It provides guidance—but not the same level of protection.

Result: Legal uncertainty remains about how religious expression will be treated in practice.



What Is the Status of *Bill C-9*?

Bill C-9 is now law. It received Royal Assent on June 18, 2026, and its provisions come into force on July 18, 2026.

The Justice Committee report incorporated amendments, including:

- Retaining Attorney General consent
- Reverting to the Supreme Court definition of hatred

However: Debate has been limited. The public has not been consulted.

Result: Broader concerns about rights and freedoms remain unresolved.



Who Decides What Crosses the Line?

Bill C-9 leaves significant judgement to prosecutors and courts about what expression crosses into hatred.

This raises key questions:

- Who determines what counts as hatred?
- What standards are applied?
- How are decisions reviewed or challenged?

If these processes are not clear and transparent, decisions can appear arbitrary. That undermines trust and increases the risk of overreach.

Impact on Everyday Canadians

This issue is not limited to large media organizations or public figures. It affects ordinary people:

- Parents discussing issues online
- Students participating in debates
- Community leaders sharing views
- Religious individuals expressing beliefs
- Workers posting opinions on social platforms

The result is a shift in behavior. People begin to think twice before speaking, writing, or sharing.



Balancing Harm and Freedom

There is a real challenge here. A broad variety of content exists online, and some Canadians may object to it. But any solution must be precise.

A law that is too narrow may fail to address actual danger. A law that is too broad may restrict lawful speech.

Bill C-9 risks crossing that line because:

- It uses vague definitions
- It creates broad enforcement powers
- It does not clearly protect lawful expression

A proper balance requires clarity, limits, and respect for *Charter* rights.

New Offences and Expanded Enforcement Tools

Bill C-9 introduces or expands:

- Offences related to the promotion of hatred (including public display of certain symbols)
- Penalty enhancements for hate-motivated crimes
- New intimidation and obstruction provisions tied to access to spaces

There is also concern about the potential expansion of investigative powers, including:

- Wiretaps
- DNA orders
- Bail conditions tied to speech-related offences

Concern: These tools are traditionally associated with serious criminal activity. Applying them in speech-related contexts raises proportionality and civil liberties questions.



Areas of Concern

As *Bill C-9* comes into force, there are several key issues to pay attention to:

- Definitions - Are terms like 'hatred' clearly defined?
- Scope - Does the law apply only to religious cases, or does it reach ordinary speech?
- Safeguards - Are there protections for lawful expression and religious belief?
- Accountability - Can decisions be challenged or reviewed?
- Impact in Practice - How will this affect real people—not just theory?

What You Can Do

Understanding the issue is the first step. There are also practical actions you can take:

- Read and stay informed about *Bill C-9*
- Discuss the issue with others
- Engage with public debate respectfully and clearly
- Contact elected representatives if you have concerns
- Support organizations that educate Canadians about their rights
- Support Freedoms Advocate as we prepare for a constitutional challenge to *Bill C-9*



Conclusion

Bill C-9 is not just a change to the Criminal Code. It is about the boundaries of what Canadians can say, discuss, and believe in public life.

Freedom of expression and freedom of religion are not optional rights. They are essential to a free and democratic society. When laws are unclear or overly broad, those freedoms are at risk—not always through direct restriction, but through uncertainty and self-censorship.

The effects may not be immediate. They often appear gradually, as people begin to limit themselves. Over time, that changes how society thinks, speaks, and debates.

The question Canadians must consider is straightforward: Do we want laws that clearly protect both safety and freedom—or laws that leave room for limiting lawful expression?

What You Can Do About *Bill C-9*

If you are concerned about *Bill C-9*, the most effective action is to contact elected officials directly and put your concerns on record.

1. Contact Your Member of Parliament (MP)

Find your MP:

<https://www.ourcommons.ca/members/en>

Send a short message asking how they will protect freedom of expression and religion now that *Bill C-9* is law.

Sample message:

I am writing as a constituent regarding Bill C-9. I am concerned about the bill's impact on freedom of expression and freedom of religion, particularly the removal of the good-faith religious defence and the uncertainty that creates for lawful expression.

Please let me know what steps you will take to ensure Charter rights are protected, including support for restoring religious defence.

2. Contact Senators

Bill C-9 has passed into law. Senators can still support future efforts to amend it. Registering your concerns keeps public sentiment known and on the record.

Find Senators:

<https://sencanada.ca/en/senators/>

Send the same message or adapt it slightly for Senate review.

3. Request a Meeting or Attend a Local Event

MPs and Senators hold constituency meetings and public events.

Ask a direct question about *Bill C-9* and its impact on *Charter* rights. Keep it focused and specific.

4. Submit Written Concerns

Written concerns sent to MPs and Senators are recorded and can influence ongoing debate and future amendments.

5. Speak Directly to the Issue

Discuss *Bill C-9* with people in your community—especially where it affects real situations like education, public discussion, and religious expression. Keep the focus on clear examples and *Charter* rights.

6. Support Our Legal Action Against Bill C-9

Bill C-9 threatens fundamental freedoms of expression and religion in Canada. Freedoms Advocate is pursuing a legal challenge to this legislation to protect Canadians' *Charter* rights.

Your contribution helps us:

- Fund legal research and expert analysis
- Cover court filings and representation costs
- Keep Canadians informed with accurate, plain-language updates

Every donation counts. By supporting Freedoms Advocate, you are directly helping defend your rights and the rights of all Canadians.

Donate Now <https://freedomadvocate.ca/donate/>





Bill C-9: Take Action

1. Find Your MP

<https://www.ourcommons.ca/members/en>

2. Send a Message

State your concern about *Bill C-9* and its impact on:

- Freedom of expression (Section 2(b))
- Freedom of religion (Section 2(a))

Sample Message:

I am a constituent writing about Bill C-9. I am concerned about its impact on freedom of expression and religious freedom. Please share how you will ensure Charter rights are protected.

3. Contact Senators

<https://sencanada.ca/en/senators/>

4. Ask Direct Questions



At public events or meetings:

- What is your position on *Bill C-9*?
- How will you protect freedom of expression?
- How will you ensure religious freedom is not restricted?

5. Stay Informed

Subscribe to our newsletter for updates as our legal challenge progresses.

6. Support Our Legal Action Against Bill C-9

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