



British Columbia
Human Rights
Tribunal



FORM 1.4 – RETALIATION COMPLAINT

Use This Form to File a Complaint About Retaliation

Case

Case Number: CS-018426

Date Received: 2026-03-22

Step 1 - Party Information

Who experienced retaliation (Complainant)?

Legal name – First name: Jessica

Legal name – Last name: Simpson

Preferred name – e.g. traditional name, nickname, alias:

Use my preferred name: When talking to me, When writing to me, In decision in addition to my legal name

Title: Ms.

Pronoun: She

Who will communicate with the Tribunal about this Complaint?

The complainant

Complainant's address for delivery

Mailing address: [REDACTED]

Phone number: [REDACTED]

Cell: N/A

Fax: N/A

Email: [REDACTED]

Respondent contact information

Name of the Respondent: Barbara Kay

Relationship to you (For example, your employer): None

Respondent Contact Email: [REDACTED]

Mailing Address:

[REDACTED]

Phone: N/A

Cell: N/A

Fax: N/A

Step 2 - Your Role in a Complaint

What is the retaliation about: A complaint that someone filed with the BC Human Rights Tribunal

What is the complaint name and case number? CS-018420 - Simpson v. Kay

When was the complaint filed? 2026-03-21

What is your role in the complaint? I made the complaint

If you helped with the complaint, how did you help?

How did the Respondent(s) know about your role? I advised Barbara Kay that her posts in regards to myself constituted discrimination and advised her a complaint was filed, as the process typically takes years so she has advance notice of this complaint and can't come back as "i don't remember posting"

Step 3 - Details of the Discrimination

Details of the Discrimination for each Respondent

Respondent Name: Barbara Kay

Describe in a few words the conduct that you say is retaliation:

The Respondent, Barbara Kay, published a public statement on the platform X in direct temporal proximity to my filing of a human rights complaint against her. In that statement, she characterizes the complaint as trivial ("allegedly hurt his feelings"), thereby trivializing and delegitimizing a quasi-constitutional legal process. Critically, the Respondent deliberately misgenders me and

invokes my former name (“Yaniv”), thereby engaging in what can be properly characterized as existential denialism—the rhetorical and discursive negation of a transgender person’s affirmed identity. This is not incidental language; it is a targeted repudiation of my legal and social

personhood. Further, the Respondent amplifies a secondary post by Dallas Brodie, which explicitly frames my legal complaint as an attack on “free speech” and accuses me of fabricating harm. This republication constitutes amplified harassment, expanding the reach and impact of the original discriminatory narrative.

Describe what this Respondent did to retaliate

Date: 2026-03-22

Conduct: On March 22, 2026, the Respondent, Barbara Kay, published a post on X in direct response to my filing of a human rights complaint against her. In that post, the Respondent explicitly referenced my complaint and framed it as trivial, asserting that it concerned a tweet that allegedly “hurt his feelings.” This characterization was dismissive and served to delegitimize the seriousness of my complaint.

Date: 2026-03-22

Conduct: Crucially, the Respondent deliberately used male pronouns (“his”) when referring to me, despite my clear and established identity as a transgender woman. This was not inadvertent or ambiguous language; it was a conscious and targeted misgendering, deployed in a public forum. Pronoun usage is a core component of gender identity recognition, and the Respondent’s intentional use of incorrect pronouns constitutes a direct repudiation of my identity.

Date: 2026-03-22

Conduct: This pronoun misuse operates as a form of existential denialism, in that it denies the validity of my gender identity at the most fundamental linguistic level. By referring to me using male pronouns, the Respondent communicates to her audience that my identity is illegitimate, thereby inviting and normalizing further discriminatory treatment by others. In legal and social contexts, such misgendering is not neutral expression

Date: 2026-03-22

Conduct: it is an act that undermines dignity, reinforces stigma, and contributes to a hostile environment. In addition, the Respondent compounded this harm by referring to me using a prior name (“Yaniv”), further entrenching the denial of my identity. The combined use of incorrect pronouns and deadnaming constitutes a coordinated form of identity-based harm that is widely recognized as psychologically and socially damaging.

Date: 2026-03-22

Conduct: The Respondent also amplified third-party content from Dallas Brodie, which repeated similar misgendering and framed my complaint as illegitimate. This amplification extended the reach of the harmful pronoun misuse and reinforced the narrative of denial to a broader audience.

Date: 2026-03-22

Conduct: This conduct occurred immediately following my protected activity of filing a human rights complaint and is directly linked to that activity. The deliberate misuse of pronouns, in conjunction with public ridicule and amplification of harmful content, constitutes retaliatory conduct intended to demean, intimidate, and discourage me from pursuing my legal rights.

Explain why you think this conduct is retaliation for your role in a complaint or inquiry:

The Respondent’s conduct is retaliatory because it is directly triggered by, and explicitly references, my protected activity—namely, the filing of a human rights complaint. In her post on X, Barbara Kay does not speak in general terms; rather, she specifically identifies the existence of my complaint and uses it as the basis for her public commentary. This establishes a clear and immediate causal nexus

between my participation in a human rights process and the adverse treatment that followed. The substance of the Respondent's post demonstrates a punitive and deterrent intent. By trivializing the complaint as one concerning "hurt feelings," she seeks to delegitimize the legal process and portray my participation as frivolous or abusive. This framing is not merely opinion—it functions to undermine my credibility as a complainant and to expose me to public ridicule. More significantly, the Respondent engages in deliberate misgendering through pronoun misuse ("his") and deadnaming.

Step 4 – Is the Complaint Filed in Time?

Respondent Name: Barbara Kay

What is the date of the most recent conduct that you listed as retaliation in the previous step?
2026-03-22

Did the most recent conduct happen in the last year? Yes

Did all of the conduct happen in the last year for all Respondents? Yes

Step 5 - Other Proceedings

Do you have another proceeding about the same events? No

Step 6 - Remedies

Select the kinds of remedies you want that are available under s. 37 of the Human Rights Code:

- **Order to stop the retaliation**
- **Declaration that the conduct is retaliation**
- **Steps or programs to address the retaliation (examples: training, policy)**
- **Compensation for injury to dignity, feelings, and self-respect**
- **Compensation for lost wages or other expenses such as moving expenses, photocopying, costs of attending the hearing (keep receipts)**

Step 7 - Mediation

Do you want to attend a mediation? Yes

Step 8 - Indigenous Peoples

I confirm I am First Nations, Métis or Inuit. I want an Indigenous Navigator to contact me about the process.