



Decriminalize Sex Work

For Immediate Release

December 20, 2013

Sex Workers Across Canada Celebrate Historic Ruling

VANCOUVER: In an historic judgement today, the Supreme Court of Canada struck down criminal prostitution laws that three Ontario sex workers had challenged on the grounds that the provisions violate their constitutional rights.

“We are ecstatic with today’s decision,” said Esther Shannon, founder of of FIRST, a feminist advocacy group that formed in 2007 to advocate for the human rights of sex workers and for decriminalization in Canada. “It’s so gratifying that the judges understood why we needed to get rid of these unjust laws. The status quo was not working: As we tragically saw with Vancouver’s missing women’s case, the laws did not protect anyone and instead created harm, including violence, stigma and inequality.”

“Today, we stand in solidarity with all sex workers, and share their joy at the decision,” said Joyce Arthur, a FIRST spokesperson. “Our congratulations go out to the plaintiffs Terri-Jean Bedford, Valerie Scott, and Amy Lebovitch for their determination to free sex workers from the dangers of the criminal law.”

Arthur explained that the laws hurt all sex workers by making it illegal to take safety measures to protect themselves while working. “Sex work is extremely diverse – workers can be male, female, or transgender; some work on the streets but most work indoors; they may work independently or for an agency; many freely chose this work while others had no other options because of poverty and inequality. Regardless, today’s decision will benefit all sex workers, because it will start to give them greater control over their work and lives, and improve their health and safety.”

The Supreme Court judges stayed their ruling for one year to give Parliament to act, which means: “We have one year to create a better system for protecting the rights and safety of sex workers,” said Shannon. “The most important thing is that sex workers’ leadership and guidance are centred in any response from governments, whether federally or at the local level.”

Arthur added: “We don’t need a new criminal law, however. Cities, municipalities, and police departments must work closely with sex workers to create constructive policies that protect both sex workers and the communities they live and work in.”

.....Continued page 2

Background:

In a unanimous decision written by the Chief Justice, the Supreme Court agreed that the impugned laws negatively impact security of the person rights of sex workers under Section 7 of the Charter of Rights and Freedom: *“Everyone has the right to life, liberty and security of the person and the right not to be deprived thereof except in accordance with the principles of fundamental justice.”*

The Criminal Code provisions struck down were:

- Section 210, which prohibits keeping, owning, or being found in a “common bawdy house”
- Section 212(1)(j), which prohibits living off the avails (income) of prostitution
- Section 213(1)(c), which prohibits communicating in public for the purpose of prostitution

In what became known as the Bedford case, Toronto sex workers Terri-Jean Bedford, Amy Lebovitch, and Valerie Scott brought their courageous fight against Canada's unjust prostitution laws forward in 2010 winning a favourable ruling from Justice Susan Himel who found that laws set up to protect prostitutes actually endanger their safety. Federal and Ontario government appeals saw the case move to the Supreme Court, where a hearing took place on June 13, 2013.

Contacts: Joyce Arthur 604-351-0867 joycearthur@shaw.ca
Esther Shannon 604-254-9963 emls@shaw.ca
FIRST webpage: <https://www.facebook.com/FIRSTdecrimsexwork>