



Prostitution, Sex Work and Women’s Safety

Whereas on December 20, 2013, the Supreme Court of Canada (SCC) ruled that the sections of the *Criminal Code of Canada* which formed the core of Parliament’s response to prostitution¹ – s. 210, s. 212 (1)(j) and 213 (1)(c) – are inconsistent with s.7 of the *Charter of Rights* and are invalid.²

And whereas the SCC suspended the “declaration of invalidity” for one year, maintaining the invalid sections of the *Criminal Code* in force as law until December 20, 2014, and the federal government has announced that it will introduce legislation on prostitution in the current session of the House of Commons, which have opened a national discussion on this issue.³

And whereas following the SCC decision and the federal government announcement, YWCA Canada Member Associations have been solicited for their position on decriminalization of prostitution and sex work-related activities in Canada.

And whereas in 2013 YWCA Canada adopted a national policy that “opposes and condemns all forms of Human Trafficking” including all coercion to achieve consent for prostitution but YWCA Canada does not have a national policy on the consensual sale of sexual services by adult women.

And whereas women and girls are disproportionately the providers of sexual services for sale and men are disproportionately the purchasers of sexual services.

And whereas selling sexual services puts women at increased risk of experiencing violence.

¹ *Canada v. Bedford* 2012 ONCA 196

² *Canada v. Bedford* 2013 SCC 72

³ *Canada v. Bedford* 2013 SCC 72

And whereas many women who access the programs and services of YWCA Canada Member Associations have exchanged sexual services for money, shelter or basic means of survival and among them are women who face high systemic barriers of discrimination, including women:

- from First Nation, Métis, Inuit and racialized communities
- who are survivors of childhood sexual abuse, usually within their family
- living in poverty
- living with addictions and other mental health issues
- experiencing fetal alcohol syndrome and developmental disabilities.

And whereas YWCA Canada's vision is of *women and girls empowered in a safe and equitable society and our mission is to advance gender equity through research, advocacy and sustainable Member Associations.*

Therefore be it resolved that:

YWCA Canada adopt the following policy:

YWCA Canada will meet women where they are in their lives without judgment.

YWCA Canada supports the safety and freedom from violence and harassment of all women, including women who earn a livelihood from commercial sex work and women who exchange sexual services for shelter and other survival needs.

YWCA Canada calls on government at all levels to ensure effective police and justice system responses to violence against and disappearances of all women, including women engaged in sex work/prostitution.

YWCA Canada recognizes that poverty, homelessness, and other factors, including child sexual abuse of girls, significantly reduce choice and safety in women's lives and will continue to advocate for policies and programs which address poverty, racism, violence against women and girls, and the homelessness of women and girls.

YWCA Canada will continue to advocate for women's equality and systemic changes as well as for programs and services to ensure that no woman is faced with selling or exchanging sexual services as her sole survival strategy.

YWCA Canada will advocate for support services for women and girls who want to exit sex work/prostitution and will work with our Member Associations to share their

knowledge of programs, services and policies that support women and girls to exit sex work/prostitution.

YWCA Canada will work with our Member Associations to share their knowledge of programs, services and policies that support safety for women engaged in sex work/prostitution.

YWCA Canada opposes the criminalization of women and girls for selling sexual services that they provide themselves.

Adopted

Board of Directors September 18, 2014

One Movement Meeting, November 7, 2014