

IN THE SUPREME COURT OF CANADA
(ON APPEAL FROM THE ALBERTA COURT OF APPEAL)

B E T W E E N :

MIKHAIL KLOUBAKOV

Appellant
(Respondent)

- and -

HIS MAJESTY THE KING

Respondent
(Appellant)

- and -

B E T W E E N :

HICHAM MOUSTAINE

Appellant
(Respondent)

- and -

HIS MAJESTY THE KING

Respondent
(Appellant)

- and -

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**FACTUM OF THE INTERVENERS, HIV & AIDS LEGAL CLINIC ONTARIO,
COCQ-SIDA AND ACTION CANADA FOR SEXUAL HEALTH AND RIGHTS
(jointly, the SEXUAL HEALTH COALITION)**

(Pursuant to Rules 37 and 42 of the *Rules of the Supreme Court of Canada*, SOR/2002-156)

GOLDBLATT PARTNERS LLP
20 Dundas Street West, Suite 1039
Toronto, Ontario M5G 2C2

Geetha Philipupillai
Tel: 416.979.4252
Fax: 416.591.7333
Email: gphilipupillai@goldblattpartners.com

GOLDBLATT PARTNERS LLP
1400 - 270 Albert Street
Ottawa, Ontario K1P 5G8

Colleen Bauman
Tel: 613.482.2463
Fax: 613.235.3041
Email: cbauman@goldblattpartners.com

**COALITION DES ORGANISMES
COMMUNAUTAIRES QUÉBÉCOIS DE
LUTTE CONTRE LE SIDA (COCQ-SIDA)**

1 Sherbrooke St. E.
Montreal, Quebec H2X 3V8

**Agent for the Interveners, HALCO,
COCQ-SIDA and Action Canada for
Sexual Health and Rights**

Laurent Trépanier Capistran

Tel: 514.844.2477 ext. 34 / Fax: 514.379.1059

Email: vih-infodroits@cocqsida.com

HIV & AIDS LEGAL CLINIC ONTARIO

1400 - 55 University Avenue
Toronto, Ontario M5J 2H7

Rodney Kort

Tel: 416.340.7790 ext. 4043 / Fax: 416.340.7248

Email: rodney.kort@halco.clcj.ca

Ryan Peck

Tel: 416.340.7790 ext. 4047 / Fax: 416.340.7248

Email: ryan.peck@halco.clcj.ca

**Counsel for the Interveners, HALCO, COCQ-
SIDA and Action Canada for Sexual Health
and Rights**

[Style of cause continued]

**ATTORNEY GENERAL OF CANADA, ATTORNEY GENERAL OF ONTARIO,
ATTORNEY GENERAL OF NOVA SCOTIA, ATTORNEY GENERAL OF MANITOBA,
ATTORNEY GENERAL OF BRITISH COLUMBIA, VANCOUVER RAPE RELIEF
SOCIETY, CONCENTRATION DES LUTTES CONTRE L'EXPLOITATION
SEXUELLE, ABORIGINAL WOMEN'S ACTION NETWORK, FORMERLY
EXPLOITED VOICES NOW EDUCATING, LONDON ABUSED WOMEN'S CENTRE
AND STRENGTH IN SISTERHOOD (WOMEN'S EQUALITY COALITION),
CHRISTIAN LEGAL FELLOWSHIP, WOMEN'S LEGAL EDUCATION AND ACTION
FUND INC., AMNESTY INTERNATIONAL, CANADIAN SECTION (ENGLISH
SPEAKING), HIV & AIDS LEGAL CLINIC ONTARIO, COALITION DES
ORGANISMES COMMUNAUTAIRES QUÉBÉCOIS DE LUTTE CONTRE LE SIDA
AND ACTION CANADA FOR SEXUAL HEALTH AND RIGHTS ("SEXUAL HEALTH
COALITION"), CANADIAN CIVIL LIBERTIES ASSOCIATION, TIFFANY ANWAR,
DAVID ASPER CENTRE OF CONSTITUTIONAL RIGHTS, BRITISH COLUMBIA
CIVIL LIBERTIES ASSOCIATION, ONTARIO COALITION OF RAPE CRISIS
CENTRES, AND EVANGELICAL FELLOWSHIP OF CANADA AND ASSOCIATION
FOR REFORMED POLITICAL ACTION (ARPA) CANADA**

Interveners

ORIGINAL TO: REGISTRAR
Supreme Court of Canada
301 Wellington Street
Ottawa, Ontario K1A 0J1

COPIES TO:

Gunn Law Group
11210 - 142 Street NW
Edmonton, Alberta T5M 1T9

Shannon Gunn Emery
Tel: 780.488.4460
Fax: 780.488.4783
Email: semery@gunnlawgroup.ca

**Counsel for the Appellant,
Mikhail Kloubakov**

Arial Law
820 - 510, 5th Street SW
Calgary, Alberta T2P 3S2

Marie Kimberly Arial
Tel: 587.387.2797
Email: kim@ariallaw.com

**Counsel for the Appellant,
Hicham Moustaine**

**Alberta Crown Prosecution Service
Government of Alberta**
3rd floor, Bowker Building
9833 - 109th Street
Edmonton, Alberta T5K 2E8
Tel. 780.422.5402
Fax: 780.422.1106

Matthew Grenier
Email: matthew.griener@gov.ab.ca
Katherine Fraser
Email: katherine.fraser@gov.ab.ca

**Counsel for the Respondent,
His Majesty the King**

Goldblatt Partners LLP
1400 - 270 Albert Street
Ottawa, Ontario K1P 5G8

Benjamin Piper
Tel: 613.482.2459
Fax: 613.235.3041
Email: bpiper@goldblattpartners.com

Agent for the Appellant, Mikhail Kloubakov

Goldblatt Partners LLP
1400 - 270 Albert Street
Ottawa, Ontario K1P 5G8

Benjamin Piper
Tel. 613.482.2459
Fax: 613.235.3041
Email: bpiper@goldblattpartners.com

Agent for the Appellant, Hicham Moustaine

Gowling WLG (Canada) LLP
2600 - 160 Elgin Street
Ottawa, Ontario K1P 1C3

D. Lynne Watt
Tel. 613.786.8695
Fax: 613.788.3509
Email: lynne.watt@gowlingwlg.com

**Agent for the Respondent,
His Majesty the King**

**Attorney General of Canada
Department of Justice Canada**
120 Adelaide West
Toronto, Ontario M5H 1T1

John Provart and Lindy Rouillard-Labbé
Tel. 647.256.0784
Fax: 416.954.8982
Email: John.Provart@justice.ca

**Counsel for the intervener,
Attorney General of Canada**

Attorney General of Ontario
720 Bay Street, 10th floor
Toronto, Ontario M7A 2S9

Deborah Krick
Tel. 416.326.4600
Fax: 416.326.4656
Email: deborah.krick@ontario.ca

**Counsel for the intervener,
Attorney General of Ontario**

Public Prosecution Service of Nova Scotia
700 - 1625 Rue Grafton
Halifax, Nova Scotia B3J 3K5

Mark Scott, K.C and Erica Koresawa
Tel: 902.424.2864
Fax: 902.424.8440
Email: mark.scott@novascotia.ca

**Counsel for the intervener,
Attorney General of Nova Scotia**

**Attorney General of Canada
Department of Justice Canada**
50 O'Connor Street, Suite 500, Room 557
Ottawa, Ontario K1A 0H8

Christopher Rupar
Tel: 613.670.6290
Fax: 613.954.1920
Email: christopher.rupar@justice.gc.ca

**Agent for the intervener, Attorney General
of Canada**

Gowling WLG (Canada) LLP
2600, 160 Elgin Street
Ottawa, Ontario K1P 1C3

D. Lynne Watt
Tel. 613.786.8695
Fax: 613.788.3509
Email: lynne.watt@gowlingwlg.com

**Stakeholder Attorney, Agent for the
intervener, General of Nova Scotia**

**Department of Justice
Constitutional Law Section**
1205 – 405 Broadway
Winnipeg, Manitoba R3C 3L6

Charles Murray
Tel: 204.330.2268
Fax: 204.945.0053
Email: charles.murray@gov.mb.ca

**Counsel for the intervener, Attorney
General of Manitoba**

**Attorney General of British Columbia
Criminal Appeals and Special Prosecutions**
3rd Floor, 940 Blanshard Street
Victoria, British Columbia V8W 3E6

Lara Vizsolyi
Tel: 778.974.5144
Fax: 250.387.4262
Email: lara.vizsolyi@gov.bc.ca

**Counsel for the intervener, Attorney
General of British Columbia**

**University of British Columbia
Peter A. Allard School of Law**
1822 East Mall
Vancouver, British Columbia V6T 1Z1

**Janine Benedet
Gwendoline Allison**
Tel: 604.822.0637
Fax: 604.822.8108
Email: benedet@allard.ubc.ca

**Counsel for the interveners, Vancouver
Rape Relief Society, Concentration des luttes
contre l'exploitation sexuelle, Aboriginal
Women's Action Network, Formerly
Exploited Voices Now Educating, London
Abused Women's Centre and Strength in
Sisterhood (Women's Equality Coalition)**

Gowling WLG (Canada) LLP
2600 - 160 Elgin Street
Ottawa, Ontario K1P 1C3

D. Lynne Watt
Tel. 613.786.8695
Fax: 613.788.3509
Email: lynne.watt@gowlingwlg.com

**Agent for the intervener, Attorney General
of Manitoba**

Gowling WLG (Canada) LLP
2600 - 160 Elgin Street
Ottawa, Ontario K1P 1C3

Matthew Estabrooks
Tel: 613.786.0211
Fax: 613.788.3573
Email: matthew.estabrooks@gowlingwlg.com

**Agent for the intervener, Attorney General
of British Columbia**

Supreme Advocacy LLP
340 Gilmour Street, Suite 100
Ottawa, Ontario K2P 0R3

Marie-France Major
Tel: 613.695.8855 Ext: 102
Fax: 613.695.8580
Email: mfmajor@supremeadvocacy.ca

**Agent for the interveners, Vancouver Rape
Relief Society, Concentration des luttes
contre l'exploitation sexuelle, Aboriginal
Women's Action Network, Formerly
Exploited Voices Now Educating, London
Abused Women's Centre and Strength in
Sisterhood (Women's Equality Coalition)**

Christian Legal Fellowship
285 King Street, Suite 202
London, Ontario N6B 3M6

Derek B.M. Ross
Vivian W.S. Clemence
André M. Schutten
Tel: 519.601.4099
Fax: 519.601.4098
Email: execdir@christianlegalfellowship.org

**Counsel for the intervener,
Christian Legal Fellowship**

Stockwoods LLP
Toronto-Dominion Centre North Tower,
Box 140
77 King Street West, Suite 4130
Toronto, Ontario M5K 1H1

Andrea Gonsalves
Alexandra Heine
Olivia Eng
Tel: 416.593.3497
Email: andreag@stockwoods.ca

**Counsel for the intervener, Women's Legal
Education and Action Fund Inc.**

Cavalluzzo LLP Barristers & Solicitors
474 Bathurst Street, Suite 300
Toronto, Ontario M5T 2S6

Danielle Bisnar
Tel: 416.964.5535
Fax: 416.964.5895
Email: dbisnar@cavalluzzo.com

**Counsel for the intervener, Amnesty
International, Canadian Section (English
Speaking)**

Supreme Advocacy LLP
340 Gilmour Street, Suite 100
Ottawa, Ontario K2P 0R3

Marie-France Major
Tel: 613.695.8855 Ext: 102
Fax: 613.695.8580
Email: mfmajor@supremeadvocacy.ca

**Agent for the Intervener,
Christian Legal Fellowship**

Borden Ladner Gervais LLP
World Exchange Plaza
100 Queen Street, suite 1300
Ottawa, Ontario K1P 1J9

Nadia Effendi
Tel: 613.787.3562
Fax: 613.230.8842
Email: neffendi@blg.com

**Agent for the intervener, Women's Legal
Education and Action Fund Inc.**

Lax O'Sullivan Lissus Gottlieb LLP
145 King Street West, Suite 2750
Toronto, Ontario M5H 1J8

Jonathan C. Lissus
Zain Naqi
Ronke Akinyemi
Tel: 416.598.1744
Fax: 416.598.3730
Email: jlissus@lolg.ca

Counsel for the intervener, Canadian Civil Liberties Association

McCarthy Tétrault LLP
Suite 5300, Toronto Dominion Bank Tower
Toronto, Ontario M5K 1E6

H. Michael Rosenberg
Alana Robert
Holly Kallmeyer
James Lockyer
Jeffrey Hartman
Tel: 416.601.7831
Fax: 416.868.0673
Email: mrosenberg@mccarthy.ca

Counsel for the intervener, Tiffany Anwar

Stockwoods LLP
TD North Tower
4130-77 King St W, PO Box 140
Toronto, Ontario M5K 1H1

Gerald Chan
Tel: 416.593.1617
Fax: 416.593.9345
Email: geraldc@stockwoods.ca

**Counsel for the intervener,
David Asper Centre of Constitutional Rights**

Conway Baxter Wilson LLP
400 – 411 Roosevelt Avenue
Ottawa, Ontario K2A 3X9

Abdalla Barqawi
Tel: 613.288.0149
Fax: 613.688.0271
Email: abarqawi@conwaylitigation.ca

Agent for the intervener, Canadian Civil Liberties Association

Borden Ladner Gervais LLP
World Exchange Plaza
100 Queen Street, suite 1300
Ottawa, Ontario K1P 1J9

Nadia Effendi
Tel: 613.787.3562
Fax: 613.230.8842
Email: neffendi@blg.com

**Agent for the intervener,
David Asper Centre of Constitutional Rights**

Kastner Ko LLP

55 University Avenue, Suite 1800
Toronto, Ontario M5J 2H7

Akosua Matthews

Ruthie Wellen

Tel: 416.655.3044

Fax: 416.981.7453

Email: amatthews@kastnerko.com

**Counsel for the intervener,
British Columbia Civil Liberties Association**

Marcus McCann Professional Corporation

2008 - 401 Bay Street

P.O. Box 80

Toronto, Ontario M5H 2Y4

Marcus McCann

Telephone: 437.222.7356

Email: marcus@marcusmccannlaw.ca

**Counsel for the intervener,
Ontario Coalition of Rape Crisis Centres**

Acacia Group

38 Auriga Dr, Suite 200

Ottawa, Ontario K2E 8A5

Garifalia C. Milousis

John Sikkema

Tel: 613.221.5895

Email: lia@acaciagroup.ca

**Counsel for the intervener, Evangelical
Fellowship of Canada and Association for
Reformed Political Action (ARPA) Canada**

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PARTS I AND II – OVERVIEW & QUESTIONS IN ISSUE

1. This appeal concerns two provisions of the *Criminal Code* passed in the *Protection of Communities and Exploited Persons Act* (“PCEPA”) as part of a comprehensive response to *Bedford*.¹ Section 286.2 prohibits receiving a material benefit from the sale of sexual services and s. 286.3 prohibits recruiting or procuring a person to provide sexual services.

2. HIV & AIDS Legal Clinic Ontario (“HALCO”) and the Coalition des organismes communautaires québécois de lutte contre le sida (“COCQ-SIDA”) have expertise advocating for the health and rights of people living with and most at risk of HIV. Action Canada for Sexual Health and Rights (“Action Canada”) has expertise on both the right to autonomy and the negative effects of the criminal law on access to health and reproductive care for people who sell or trade sexual services. All three organizations (jointly, the “Sexual Health Coalition”) view the criminalization of sex work as exacerbating stigma, isolating sex workers, and impeding access to safer sex supplies and health services, thereby increasing the risks of transmission of sexually transmitted and blood-borne infections (“STBBIs”) contrary to the Public Health Agency of Canada’s own framework to reduce the health impact of STBBIs by 2030.²

3. The Sexual Health Coalition’s submissions address how the impugned provisions place the health and personal autonomy of sex workers at risk, contrary to the central purpose of *PCEPA* to protect the safety of sex workers and their communities. The impugned provisions impede sex workers from accessing the safety-enhancing measures recognized by this Court in *Bedford*. In particular, the impugned provisions breach sex workers’ liberty and security of the person by interfering with sex workers’ ability to negotiate consent to sexual activity, including safer sex practices. The resulting deprivations jeopardize the autonomy, bodily integrity, and health and safety of sex workers and their communities and are not in accordance with the principle of fundamental justice against overbreadth.

¹ *Canada (Attorney General) v Bedford*, [2013 SCC 72](#) [*Bedford*].

² Public Health Canada, [Reducing the Health Impact of Sexually Transmitted and Blood-Borne Infections in Canada by 2030: A pan-Canadian STBBI framework for action](#), (Ottawa, Ontario) 2018, online (pdf).

PART III - STATEMENT OF ARGUMENT

A. The Central Purpose of *PCEPA* and the Impugned Provisions

4. The Sexual Health Coalition makes three submissions regarding the purpose of *PCEPA* and the impugned provisions. First, the protection of sexual health and personal autonomy underpinned the safety-enhancing measures identified in *Bedford*, and the unavailability of these measures played a critical role in this Court’s decision. Second, *PCEPA*’s safety-related purpose protects sex workers as members of communities. This purpose is not ancillary, but central to *PCEPA* as a whole. Finally, the safety-related purpose applies to s. 286.3 and both the Alberta and Ontario Courts of Appeal erred in holding otherwise.

(i) The Safety-Enhancing Measures Identified in *Bedford*

5. In *Bedford*, this Court identified the risk of contracting HIV and sexually transmitted infections (“STIs”) as a primary health and safety concern which sex workers were entitled to protect themselves against.³ Ensuring sex workers can insist on safer sex practices, including the use of condoms to reduce the risk of HIV, other STIs, and unwanted pregnancy, was key to this Court’s decision in *Bedford*. Specifically, this Court held that the bawdy house provision “interfere[d] with provision of health checks and preventative health measures”, in addition to prohibiting sex workers from working in a fixed indoor location, and preventing resort to safe houses (where sex workers working on the street can take clients).⁴ Second, this Court found that the prohibition on communicating or attempting to communicate for the purpose of engaging in sex work (s. 213(1)(c)) increased the risks sex workers faced by preventing sex workers “from screening clients and setting the terms for the use of condoms or safe houses.”⁵

6. In enacting *PCEPA*, Parliament intended to allow sex workers to take protections against the transmission of HIV, other STIs, unwanted pregnancy, as well as screening to set the terms of consent for a sexual encounter, along with other safety-enhancing measures identified in

³ *Bedford*, paras [64](#), [71](#).

⁴ *Bedford*, para [64](#).

⁵ *Bedford*, para [71](#).

Bedford.⁶ As then Justice Minister Peter MacKay stated at the Standing Senate Committee on Legal and Constitutional Affairs, *PCEPA*, “respects the *Bedford* decision and the concerns raised for safety.”⁷ Thus, by passing *PCEPA*, Parliament sought to protect the sexual health and safety of sex workers, and did not seek to add to the dangers or risks sex workers face in providing sexual services for consideration. Indeed, this overarching purpose is consistent with the extended title of *PCEPA*.⁸

(ii) The Safety-Related Purpose Protects Sex Workers and Communities

7. In *NS* and the decision below, the courts erred in narrowing the safety-related purpose and by minimizing the importance of the safety-related purpose to *PCEPA* as a whole.⁹ The limited safety-related purpose of *PCEPA* identified in *NS* and adopted in the decision below is to ensure that persons who continue to provide their sexual services for consideration can avail themselves of the safety-enhancing measures identified in *Bedford* and report incidents of violence.¹⁰ The Sexual Health Coalition urges this Court to find that the safety-related purpose is more comprehensive; Parliament sought to protect the sexual health and safety of sex workers, as members of the communities they belong to. Further this safety-related purpose is a central objective of *PCEPA*, and each of the impugned provisions (ss. 286.2 and 286.3).

8. The fundamental logic of *PCEPA* is that the autonomy, bodily integrity, health and safety of sex workers is relevant to community safety as a whole, as sex workers are members of communities. Parliament recognized in *PCEPA* that sex workers live, work, express themselves, access public services, raise children, engage in social interactions and develop relationships as part of communities. As the exceptions to the material benefit provision in s. 286.2(4) demonstrate, the text of *PCEPA* reflects that sex workers cohabit (s. 286.2(4)(a)), have

⁶ *R v Kloubakov*, [2023 ABCA 287](#), para [65](#) [*Kloubakov*]; *R v NS*, [2022 ONCA 160](#), paras [61-63](#) [*NS*]; *Bedford*, paras [64](#), [71](#).

⁷ [Proceedings of the Standing Senate Committee on Legal and Constitutional Affairs](#), 41st Parl., 2nd Sess., No. 15 (9 September 2014).

⁸ ‘An Act to amend the Criminal Code in response to the Supreme Court of Canada decision in *Attorney General of Canada v. Bedford* and to make consequential amendments to other Acts.’, *Protection of Communities and Exploited Persons Act*, SC 2014 c 25 [*PCEPA*].

⁹ *NS*, paras [60-63](#) and [122](#).

¹⁰ *NS*, para [63](#).

relationships with others – including spouses and children – to whom they have legal or moral obligations (s. 286.2(4)(b)), and purchase or contract for goods and services from other community members to access the safety-enhancing measures identified in *Bedford* (s. 286.2(4)(c) and (d)).

9. The text and overall scheme of *PCEPA* demonstrate that Parliament recognized that sex workers are not separate from the communities they live and work in, and that the safety of sex workers is relevant to the safety of all. To understand sex workers’ safety as excluded from or separate from community safety, as the courts below did, is contrary to Parliament’s true intent. The safety-related purpose of *PCEPA* seeks to protect sex workers *and* their communities. Indeed, the safety-related purpose of *PCEPA* is its central objective.

(iii) The Courts Below Erred in Limiting the Purposes of Section 286.3

10. The Respondent and the Attorney General of Canada agree a safety-related purpose is given effect in s. 286.2 (the material benefits provision), but submit Parliament did not adopt the safety-related purpose with respect to s. 286.3 (the procuring provision). They ask this Court to affirm the holding in the court below based on *NS* that the purpose of s. 286.3 is solely “to denounce and prohibit the promotion of the prostitution of others in order to protect communities, human dignity and equality,”¹¹ and “does not give effect to the safety-related objective of the *PCEPA* with respect to those who continue to sell their sexual services for consideration.”¹² The Sexual Health Coalition urges this Court to find that the safety-related purpose as articulated above, necessarily applies to s. 286.3 (as well as to s. 286.2, and the *PCEPA* as a whole).

11. *PCEPA*’s central purpose of permitting access to measures that enhance the safety of sex workers and their communities simply cannot be parsed as applying to some of *PCEPA*’s provisions and not others. To find otherwise would be inconsistent with the interrelatedness of the provisions in this comprehensive scheme, as demonstrated by “the legislative text understood

¹¹ *NS*, para [121](#).

¹² *NS*, para [122](#).

in its full context”.¹³ In the Sexual Health Coalition’s submission, *PCEPA*’s safety-related purpose necessarily applies to s. 286.3 because the conduct prohibited by s. 286.3 is demonstrably intertwined with s. 286.1 (the purchasing provision), the asymmetrical scheme of the *PCEPA* as a whole, and the immunity in s. 286.5.

12. The interrelatedness of s. 286.3 with the overall legislative scheme and purpose of *PCEPA* is apparent from the Ontario Court of Appeal’s (“OCA”) decision in *NS*. The OCA’s articulation of the conduct prohibited by s. 286.3 was deeply intertwined with the asymmetrical prohibition under s. 286.1.¹⁴ The OCA held that there are two modes of committing the procuring offence.¹⁵ It is the second mode which is relevant here, where “for the purpose of facilitating an offence under subsection 286.1(1)” the accused “recruits, holds, conceals or harbours a person who offers or provides sexual services for consideration, or exercises control, direction or influence over the movements of that person.”¹⁶ The OCA held that in order to prove the *mens rea* of the second mode, the Crown must prove the subjective intent of the accused was for, “the purpose of facilitating an offence under s. 286.1(1),”¹⁷ which criminalizes the purchase of sexual services. The OCA further held:

[107] The scope of all the conduct captured in the second mode of the *actus reus* of the procuring offence is significantly narrowed by their purpose requirement. As discussed above, the conduct captured in the second mode is only an offence if it is done for the purpose of facilitating an offence under s. 286.1... Facilitating an offence under s. 286.1 is narrower than facilitating commercial sex work.

[108] The offence in s. 286.1 is obtaining for consideration or communicating with anyone for the purpose of obtaining for consideration the sexual services of a person. The offence is not providing sexual services for consideration. The purpose requirement in s. 286.3 is therefore tied directly to the asymmetrical scheme of the PCEPA. The Crown must prove that the accused intended to assist the principal in the commission of the offence in s. 286.1: *Briscoe*, at para. 16.

¹³ *R v Moriarity*, [2015 SCC 55](#), para [48](#) [*Moriarity*].

¹⁴ *NS*, paras [96-114](#).

¹⁵ *NS*, paras [96-100](#).

¹⁶ *NS*, para [96](#).

¹⁷ *NS*, para [99](#).

[109] ... This may seem like a fine point of logic, but it flows directly from the wording of s. 286.3 and the scheme of the PCEPA [emphasis added].¹⁸

13. While the purpose of s. 286.1 was not determined by the courts below, it is at the heart of the asymmetrical prohibition model enacted by Parliament. Notably, the Attorney General of Ontario concurs that a safety-related purpose applies to s. 286.1.¹⁹ Further, s. 286.1 is also inherently tied to s. 286.5, which includes immunity from prosecution for sex workers in relation to what would otherwise be offences involving their own sexual services. There can be no doubt that the safety-related purpose applies to s. 286.5. The OCA held as such in *NS*.²⁰

14. *Moriarity* is clear that legislative purpose must be determined in accordance with the text of the provision and the overall legislative scheme.²¹ By reading down the conduct prohibited by s. 286.3 because of the asymmetry of s. 286.1 and the overall legislative scheme, but excluding those very considerations when determining the purpose of s. 286.3, the OCA turned the s. 7 analysis on its head, “effectively predetermin[ing] the outcome of the overbreadth analysis without actually engaging in it.”²² The OCA (and the court below by extension) erred by casting aside the text of the provision and the context of the overall scheme, contrary to *Moriarity*.

15. The OCA relied on *Appulonappa*²³, *PHS*²⁴, and *Meads*²⁵ to support its conclusion that the purposes of s. 286.3 differ from the purposes of *PCEPA* as a whole.²⁶ None of those cases support the OCA’s conclusion. In *Appulonappa*, s. 117 of the *Immigration and Refugee Protection Act* which criminalized human smuggling broadly, was found to have the narrower purpose of criminalizing the smuggling of people only in the context of organized crime.²⁷ This Court was clear that the purpose of s. 117 had to be determined in relation to the legislative

¹⁸ *NS*, paras [107-109](#). In *Kloubakov*, the ABCA adopted the OCA’s analysis of the scope of s. 286.3 at paragraphs [107](#) and [108](#) in *NS: Kloubakov*, para [80](#).

¹⁹ Factum of the Attorney General of Ontario, para 14.

²⁰ *NS*, para [83](#).

²¹ *Moriarity*, para [48](#).

²² *Moriarity*, para [32](#).

²³ *R v Appulonappa*, [2015 SCC 59](#) [*Appulonappa*].

²⁴ *Canada (Attorney General) v. PHS Community Services Society*, [2011 SCC 44](#) [*PHS*].

²⁵ *R v Meads*, [2018 ONCA 146](#) [*Meads*].

²⁶ *NS*, para [119](#).

²⁷ *Appulonappa*, para [70](#).

scheme as a whole, explicitly considering “the role of s. 117 in relation to the statute as a whole”²⁸ and holding:

A broad punitive goal that would prosecute persons with no connection to and no furtherance of organized crime is not consistent with Parliament’s purpose as evinced by the text of s. 117 read together with Canada’s international commitments, s. 117’s role within the IRPA, the IRPA’s objects, the history of s. 117, and the parliamentary debates [emphasis added].²⁹

16. In *PHS*, this Court found that while the *Controlled Drugs and Substances Act* (“*CDSA*”) has the dual purposes of protecting both public safety and public health,³⁰ two provisions of the *CDSA* only supported the public health objective: the first authorized the Governor in Council to make regulations for exemptions from the application of the *CDSA* (s. 55); the second granted the Minister of Health discretion to grant exemptions from the application of the *CDSA* (s. 56). However, this Court found that the prohibition on possession of controlled substances in s. 4(1) of the *CDSA* had both the public safety and public health purposes.³¹ The relevant analogy here is that s. 286.5 only gives effect to the safety-related purpose, but that does not impact the safety-related purpose of the impugned provisions and *PCEPA* as a whole.

17. Finally, in *Meads*, the OCA was considering the bail misconduct exclusion in s. 719(3.1) of the *Criminal Code* which restricts pre-sentence custody to 1:1 rather than 1:1.5. Section 719(3.1) also enacted the criminal record exclusion, which this Court held unconstitutional in *Safarzadeh-Markali*.³² Critically, in *Meads* the scope of the bail misconduct exclusion was not defined in relation to the criminal record exclusion, as is the case here for s. 286.3 and s. 286.1. Rather, each exclusion targeted different conduct, and therefore had a different purpose.³³

B. Sex Workers are Impeded from Negotiating Consent and Safer Sex Precautions

18. The impugned provisions directly impede the ability of sex workers to negotiate consent, and specifically to negotiate safer sex precautions, engaging sex workers’ rights to liberty and

²⁸ *Appulonappa*, para 34.

²⁹ *Appulonappa*, para 70.

³⁰ *PHS*, para 41.

³¹ *PHS*, para 110.

³² *R v Safarzadeh-Markhali*, [2016 SCC 14](#) [*Safarzadeh-Markhali*].

³³ *Meads*, para 8.

security of the person. Liberty includes “the right to an irreducible sphere of personal autonomy wherein individuals may make inherently private choices free from state interference” where such decisions go “to the core of what it means to enjoy individual dignity and independence.”³⁴ There are few decisions more inherently private and central to personal autonomy and dignity than deciding who to have sex with and under what conditions.³⁵ In *Bedford*, this Court recognized that impeding preventative health measures, including the ability to negotiate condom use, engaged security of the person.³⁶ More recently, this Court also recognized that the use of a condom is part of the “sexual activity in question” and that negotiating condom use can be central to negotiating consent to sexual activity.³⁷ As this Court held in *Rodriguez*:

Personal autonomy, at least with respect to the right to make choices concerning one’s own body, control over one’s physical and psychological integrity, and basic human dignity are encompassed within security of the person, at least to the extent of freedom from criminal prohibitions which interfere with these.³⁸

19. *Bedford* establishes that open and clear communication about the terms of consent, as well as access to safer sex supplies and administrative and security services from third parties are critical to sex workers’ occupational health and safety.³⁹ However, criminalization broadly, and the impugned provisions specifically, prevent sex workers from drawing attention to the fact that sex work is occurring on premises at all, including by engaging third parties to assist in explicitly communicating and negotiating the terms of interactions, such as safer sex requirements, to clients in advance.

20. As a result, the effects of the impugned provisions increase the risk of HIV, other STIs, and unwanted pregnancy. Where the law creates a risk to health by preventing access to health-protecting measures, it engages s. 7.⁴⁰ The fact that immunities may apply to sex workers

³⁴ *Godbout v Longueuil (City)*, [1997] 3 SCR 844, para 66; See also *R v Morgentaler*, [1988] 1 SCR 30 at 166, 171 [*Morgentaler*]; *B (R) v Children’s Aid Society of Metropolitan Toronto*, [1995] 1 SCR 315, para 80; *Blencoe v British Columbia (Human Rights Commission)*, [2000] 2 SCR 307, para 49.

³⁵ *R v Kirkpatrick*, 2022 SCC 33, para 51 [*Kirkpatrick*].

³⁶ *Bedford*, paras 64, 71.

³⁷ *Kirkpatrick*, paras 49, 63-64 and 104.

³⁸ *Rodriguez v British Columbia (Attorney General)*, [1993] 3 SCR 519 at 587-588 [*Rodriguez*].

³⁹ *Bedford*, paras 64, 71.

⁴⁰ *PHS*, para 93.

involved in selling their own sexual services in certain limited circumstances does not mitigate the numerous other harms and infringements of sex workers' s. 7 rights. In addition, this Court has repeatedly recognized that individuals' rights to life and security of the person may be impaired as a result of others' exposure to criminal sanction.⁴¹

21. All persons have the right to place conditions on the sexual activity in which they will engage. Consent is instrumentally important to ensure sex workers can determine safer sex practices, including the use of condoms, to reduce the risk of HIV, other STIs and unwanted pregnancy. The impugned provisions infringe s. 7 by placing limits on sex workers' ability to negotiate those conditions, regardless of the reasons, or circumstances of their engagement in the sale of sexual services. The Sexual Health Coalition disagrees that the personal choice at issue is the choice of occupation. Neither is the dispute about an affirmative right to engage in commercial sexual transactions. At issue is the fundamental personal choice of who to have sex with and under what conditions.

22. The rights infringements that result from the impugned provisions parallel the historic criminalization of abortion in Canada. When this Court struck down criminal prohibitions on abortion in *Morgentaler*, this Court recognized that our Constitution protects the agency of individuals to make fundamental decisions about their own bodies, free from criminal prohibition, especially in circumstances where their choices are constrained. As this Court held, "state interference with bodily integrity and serious state-imposed psychological stress, at least in the criminal law context, constitute a breach of security of the person."⁴² Just as criminal prohibitions on abortion made the procedure less safe (and thereby violated s. 7)⁴³, so too do the impugned provisions increase the risk of HIV, other STIs, and unplanned pregnancy, especially in the context of the impact of *PCEPA* as a whole.

⁴¹ *PHS*, para 91; *Carter v Canada (Attorney General)*, [2015 SCC 5](#); See also [Morgentaler](#); *R v Smith*, [2015 SCC 34](#).

⁴² *Morgentaler* at 56.

⁴³ *Morgentaler* at 58-59.

C. The Impugned Provisions are Overbroad

23. The principle of overbreadth applies when a law captures some conduct that bears no relation to its purpose,⁴⁴ including where “the effect actually undermines the objective and is therefore ‘inconsistent’ with the objective.”⁴⁵ The infringements of sex workers’ rights to liberty, and security of the person are overbroad because the impugned provisions negatively impact the sexual health and personal autonomy of sex workers, and capture conduct by third parties that protects or enhances sex workers’ and communities’ health and safety.

24. The effects of the impugned provisions, and *PCEPA* as a whole, are especially damaging for sex workers who face numerous forms of inequality, have experienced violence or other forms of abuse, and have few options to protect their health – the very people the *PCEPA* purports to protect. The impugned provisions go beyond preventing harm by preventing sex workers from drawing attention to sex work and prohibiting safety-enhancing third-party conduct. In *Bedford*, this Court held that provisions that encompassed this precise type of conduct violated the fundamental value against overbreadth.⁴⁶ The effects of the impugned provisions actively undermine *PCEPA*’s central objective by capturing conduct that would protect the health and safety of people who sell and trade sexual services, and their communities.

PARTS IV AND V - COSTS AND ORDER SOUGHT

25. The Sexual Health Coalition takes no position on the outcome of this appeal, but respectfully requests that it be determined in accordance with these submissions. The Sexual Health Coalition does not seek costs and asks that no costs be awarded against it.

ALL OF WHICH IS RESPECTFULLY SUBMITTED this 8th day of July 2024.

Per:



Geetha Philipupillai / Ryan Peck
Laurent Trépanier Capistran / Rodney Kort
Counsel for the Sexual Health Coalition

⁴⁴ *Bedford*, paras [112](#) and [119](#).

⁴⁵ *Bedford*, para [119](#).

⁴⁶ *Bedford*, para [142](#).

PART VII - AUTHORITIES

Case law

No.	Authority	Paragraph Reference
1.	<i>B (R) v Children's Aid Society of Metropolitan Toronto</i> , [1995] 1 SCR 315	18
2.	<i>Blencoe v British Columbia (Human Rights Commission)</i> , [2000] 2 SCR 307	18
3.	<i>Canada (Attorney General) v Bedford</i> , 2013 SCC 72	1, 3, 4, 5, 6, 7, 8, 18, 19, 24
4.	<i>Canada (Attorney General) v. PHS Community Services Society</i> , 2011 SCC 44	15, 16
5.	<i>Carter v Canada (Attorney General)</i> , 2015 SCC 5	20
6.	<i>Godbout v Longueuil (City)</i> , [1997] 3 SCR 844	18
7.	<i>R v Appulonappa</i> , 2015 SCC 59	15
8.	<i>R v Kirkpatrick</i> , 2022 SCC 33	18
9.	<i>R v Kloubakov</i> , 2023 ABCA 287	6, 12
10.	<i>R v Meads</i> , 2018 ONCA 146	15, 17
11.	<i>R v Morgentaler</i> , [1988] 1 SCR 30	18, 22
12.	<i>R v Moriarity</i> , 2015 SCC 55	11, 14
13.	<i>R v NS</i> , 2022 ONCA 160	7, 10, 12, 13, 15
14.	<i>R v Safarzadeh-Markhali</i> , 2016 SCC 14	17
15.	<i>R v Smith</i> , 2015 SCC 34	20
16.	<i>Rodriguez v British Columbia (Attorney General)</i> , [1993] 3 SCR 519	18

Secondary Sources

No.	Secondary Source	Paragraph Reference
1.	Proceedings of the Standing Senate Committee on Legal and Constitutional Affairs , 41st Parl., 2nd Sess., No. 15 (9 September 2014).	6
2.	Public Health Canada, Reducing the Health Impact of Sexually Transmitted and Blood-Borne Infections in Canada by 2030: A pan-Canadian STBBI framework for action , (Ottawa, Ontario) 2018, online (pdf).	2

Statute, Regulation, Rule, etc.

No.	Statute, Regulation, Rule, etc.	Section, Rule, etc.
1.	<i>Criminal Code</i> , RSC 1985, c C-46	s. 286.1 s. 286.2 s. 286.3(1) s. 286.5 s. 719(3.1)
	<i>Code criminel</i> , RSC 1985, c C-46	art. 286.1 art. 286.2 art. 286.3(1) art. 286.5 art. 719(3.1)
2.	<i>Protection of Communities and Exploited Persons Act</i> , SC 2014, c. 25	Generally
	<i>Loi sur la protection des collectivités et des personnes victimes d'exploitation</i> , LC 2014, c 25	En général
3.	The Constitution Act, 1982, Schedule B to the Canada Act 1982 (UK) , 1982, c 11	s. 7
	<i>Loi constitutionnelle de 1982, Annexe B de la Loi de 1982 sur le Canada (R-U), 1982, c 11</i>	art. 7
4.	<i>Immigration and Refugee Protection Act</i> , S.C. 2001, c. 27	s. 117
	<i>Loi sur l'immigration et la protection des réfugiés</i> , LC 2001, c 27	art. 117

5.	<i>Rules of the Supreme Court of Canada</i> , SOR/2002-156	R 37 R 42
	<i>Règles de la Cour suprême du Canada</i> , DORS/2002-156	R 37 R 42