

News Release Communiqué

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LEGAL NETWORK WELCOMES CANADA'S COMMITMENT TO REDRESS DISCRIMINATION AGAINST LGBTQI PEOPLE

Government also urged to repeal discriminatory sex work, HIV criminalization laws

TORONTO, November 15, 2016 — The Canadian HIV/AIDS Legal Network welcomes Prime Minister Justin Trudeau's [announcement today](#) to appoint a Special Advisor on LGBTQ2 issues who will work with Egale Canada Human Rights Trust and other stakeholders to address the urgent human rights and public health issues outlined in [The Just Society Report](#).

The Canadian HIV/AIDS Legal Network contributed to this ground-breaking and timely report, which contains a number of recommendations to reform *Criminal Code* provisions that penalize LGBTQI people and other marginalized groups, including a call to immediately repeal the outdated prohibitions on anal intercourse and “bawdy houses” and to institute a uniform age of consent.

One of the report's more urgent recommendations calls on the federal government to repeal all sex work-specific laws introduced through the *Protection of Communities and Exploited Persons Act*. Federal, provincial and territorial governments — in consultation and collaboration with sex workers — are urged to develop new legislative frameworks for sex work in Canada.

The report also recommends limiting the scope and application of the criminal law in cases of HIV non-disclosure, bringing Canadian law in line with international, evidence-based recommendations. Canada is a world leader in overly broad criminalization of HIV non-disclosure, including prosecuting people in cases that pose little or no risk of transmission. “People living with HIV are facing very serious criminal charges because of discrimination and fear. The criminalization HIV non-disclosure is unjust, is ruining lives and does nothing to prevent HIV transmission,” said Alex McClelland, a researcher and member of the Canadian Coalition to Reform HIV Criminalization.

“We look forward to a discussion with the Special Advisor about how to best move forward with all of the report's recommendations, including those relating to repealing harmful laws related to sex work and ending the overly broad, unjust criminalization of

HIV,” said Richard Elliott, Executive Director of the Legal Network. “Justice delayed is justice denied.”

[*The Just Society Report*](#) was released in June 2016 and puts forward numerous recommendations for remedying continuing legal injustices embedded in Canada’s criminal laws.

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