



Living in  
Community

**Submission to the Standing Committee on Public Safety and National Defence re:  
S-210, *An Act to restrict young persons' online access to sexually explicit material***

**From Living in Community Society  
and the BC Sex Work Support Service Network**

**April 2024**



We are writing to offer important context for the Committee's consideration of Bill S-210, *An Act to restrict young persons' online access to sexually explicit material*.

[Living in Community](#) (LIC) is a provincial non-profit and charity based in Vancouver, British Columbia. Centering sex workers' rights, Living in Community convenes diverse stakeholders in order to: understand a range of experiences and perspectives; inform sex work-related policies and practices of governments, service providers, and community organizations; and provide education to support these goals. We focus on root causes including colonization, capitalism, racism, criminalization, and discrimination that create systemic vulnerability for sex workers as well as other community members.

Our co-signatories in this submission are members of the BC Sex Work Support Service Network, a group of over twenty organizations that provide frontline services, supports, and advocacy to sex workers in their communities. BC Network members are located across British Columbia and the Yukon. The Network meets regularly to share best practices, learn from each other, and strengthen our unified voice for sex workers' rights in BC.

As organizations that work with diverse sex workers across BC, we are concerned about several aspects of Bill S-210. If implemented, this bill would infringe upon sex workers' ability to work, creating additional barriers and hardships for an already-marginalized group of workers.

We draw your attention to the following concerning aspects of Bill S-210:

### **Privacy Concerns**

While ensuring that young people can access age-appropriate material is a laudable goal, there are valid privacy concerns about the use of online age verification systems that dictate access to certain websites.

Age verification technology that both ensures accuracy and preserves users' privacy and confidentiality is not widely available or safe. Questions remain as to the ability of current technology to protect users' personal data while accurately verifying their age. We are concerned that this bill, if implemented, may result in imperfect technology being used which would infringe on adult users' privacy and constitutional rights.

### **Infringing on sex workers' right to work**

By making it an offence to "make sexually explicit material available to young persons on the Internet,"<sup>1</sup> we are concerned that internet service providers and websites will be incentivized to err on the side of caution and remove or block any materials that could be deemed "sexually explicit." Even if accurate and safe age verification systems are created, these would still be a significant financial burden on websites to implement. As such, the unintended impact of this bill may be that providers will simply remove any "sexually explicit" materials to avoid possible infringement of the bill.

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<sup>1</sup> <https://www.parl.ca/DocumentViewer/en/44-1/bill/S-210/third-reading>

Under Bill C-36, the *Protection of Communities and Exploited Persons Act*, providing a sexual service and advertising on behalf of yourself to provide sexual services in Canada are decriminalized.<sup>2</sup> While we believe this legislation is problematic and leaves the sector still criminalized and stigmatized overall, it provides an important legal basis that sex workers have the right to work, including online.

If Bill S-210 is implemented, sex workers risk being unable to share their work online, advertise their own services, or post content to build their brand. We are concerned this would be unconstitutional and could cause deep harm to workers in this industry.

### **Pushing sex work into less safe environments**

Since sex work is not fully decriminalized in Canada, what we have heard and experienced from sex workers in our communities is that the sector remains unsafe. Sex workers are routinely surveilled and harassed by law enforcement who target clients of sex workers for communicating and purchasing sex, and street-based sex workers are forced to work in more clandestine and isolated areas in order to evade law enforcement. Sex workers are often rushed in deciding whether or not to take on a client because they cannot speak openly about what services are being offered, they must make decisions quickly to avoid detection, and it is difficult to find safe indoor spaces to work as these businesses are criminalized.

While limitations remain, online platforms often offer sex workers more safety as they can screen clients and have a greater degree of control over their work environment and options. Online work is also more accessible for sex workers who are disabled or who experience other barriers to work in offices or other physical environments. This bill, however, would push sex work into less safe environments by limiting the internet as a safer avenue and by driving some sex workers (back) into street-based sex work.

### **The need for age-appropriate access to sexual information**

We understand the concern about young people being able to access sexual information online that may not be age-appropriate. However, removing sexually explicit content from verified internet service providers will not remove it from the internet; instead, it will drive sexual content to more obscure online locations which may be less safe for those creating and sharing their work, as well as for the youth who may still access that content.

Instead of trying to limit information legally hosted on websites for adults, we recommend efforts to promote media and digital literacy for youth, to provide age-appropriate and comprehensive sexual health and education, and to promote parental and guardian oversight of children's internet use, such as using existing parental internet filters or blockers.

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<sup>2</sup> <https://parl.ca/DocumentViewer/en/41-2/bill/C-36/royal-assent>



## Conclusion

If implemented, this bill would risk infringing upon sex workers' legal and constitutional rights to work, and would lead to increased safety concerns for sex workers. It also poses concerning privacy issues for every adult Canadian.

We ask you to carefully review these considerations and vote against this bill moving forward.

Signed:



ANKORS/ kSWAG  
Nelson

ANKORS works from a wellness model, through support and advocacy; harm reduction, prevention and education; delivery of programs and services that are client-centered and focused on the whole person; and partnerships with others.

ANKORS also hosts the Kootenay Sex Workers Autonomous Group (kSWAG).



**BC BDAR**  
BC Bad Date & Aggressor  
Reporting Project

BC Bad Date and Aggressor Reporting Project (BC  
BDAR)  
Province-wide

The BC BDAR Project will build a provincially integrated bad date reporting system to help sex workers in BC stay safe.



Health Initiative for Men (HIM)  
Vancouver

HIM is a nonprofit society that aims to strengthen the health and well-being in communities of self-identified GBQ men and gender diverse people in BC. We offer a full spectrum of health-based programming and services to meet the sexual, mental, physical and social health needs of communities of self-identified GBQ men and gender diverse people in BC.



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Living in Community  
Province-wide

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PACE Society  
Downtown Eastside Vancouver

PACE is a for us by us sex worker support organization providing advocacy, counseling, and education.



Peers Victoria Resources Society  
Victoria

Peers is an innovative, multi-service grassroots agency established by, with, and for sex workers since 1995. Through direct services and community partnerships, we provide an array of peer-focused outreach, harm reduction, housing support, education, violence prevention, and advocacy for current and former sex workers and their connected communities on Coast Salish territories known as Greater Victoria.



Salal Sexual Violence Support Centre  
Vancouver

Salal is a feminist, anti-oppressive, decolonizing sexual violence support centre operating on unceded Coast Salish Territories. We provide support services to survivors of sexualized violence who have shared experiences of gender marginalization: cis and trans women, Two-Spirit, trans and/or non-binary people. We advocate for social and systemic change through education, outreach and activism.



Living in  
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SWAN  
VANCOUVER

SWAN Vancouver  
Vancouver

SWAN promotes the rights, health, and safety of immigrant, migrant and newcomer women engaged in indoor sex work through front-line service and systemic advocacy.



Yukon Status of Women Council  
Whitehorse

The Yukon Status of Women Council is a non-governmental organization that works to advance gender equity through research, education and systemic advocacy. Our participatory research on the issues and concerns of Yukon women is translated into action for change, bringing gender equity issues to the forefront.