

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

BETWEEN:

MICHAEL KLOUBAKOV AND HICHAM MOUSTAINE

Appellants
(Respondents)

– and –

HIS MAJESTY THE KING

Respondent
(Appellants)

– and –

ATTORNEY GENERAL OF CANADA, ATTORNEY GENERAL OF ONTARIO,
ATTORNEY GENERAL OF NOVA SCOTIA, ATTORNEY GENERAL OF MANITOBA
and ATTORNEY GENERAL OF BRITISH COLUMBIA

Interveners

– and –

Style of Cause Continued on Next Page

**FACTUM OF THE INTERVENER,
WOMEN’S LEGAL EDUCATION AND ACTION FUND**

(Pursuant to Rules 37 and 42 of the *Rules of the Supreme Court of Canada*, S.O.R./2002-156)

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PART I - OVERVIEW AND STATEMENT OF FACTS

1. This appeal asks whether ss 286.2 and 286.3 of the *Criminal Code* violate s 7 of the *Charter*. The Women’s Legal Education and Action Fund (“LEAF”) intervenes to make three primary submissions: *first*, that this Court’s approach to s 7 of the *Charter* must be informed by the *Charter* value and guarantee of equality; *second*, that equality is relevant in ascertaining the objectives of the impugned provisions; and *third*, that equality informs both prongs of the s 7 test.

2. The equality guarantee plays a crucial role in this case; the impugned provisions are part of a larger legislative scheme that overwhelmingly impacts marginalized women, including trans, Black, Indigenous, racialized, disabled, migrant and impoverished women. Gender, race, sex, sexual orientation, and disability are all enumerated or analogous grounds under s 15, and the s 7 analysis must take into account that sex workers—whose life, liberty and security of the person are at stake—“often hail from these very groups.”¹

PART II - QUESTIONS IN ISSUE

3. LEAF intervenes on the first issue raised by the Appellants: whether ss 286.2 and 286.3 of the *Criminal Code* infringe the rights protected by s 7 of the *Charter*. LEAF’s position is that the Court should analyze this issue through a structural intersectional equality lens. In setting out that position, LEAF’s submissions also relate to the second issue in the appeal: the purpose of the legislation and provisions at issue.

PART III - STATEMENT OF ARGUMENT

A. This Court’s approach to section 7 must be informed by equality

4. *Charter* values are those that “underpin each right and give it meaning.”² *Charter* values, including “human dignity, equality, liberty, respect for the autonomy of the person, and the

¹ *Canada (Attorney General) v Bedford*, [2012 ONCA 186](#), at [para 356](#) [*Bedford CA*], *per* MacPherson and Cronk JJA, *aff’d* without comment on this specific point in *Canadian (Attorney General) v Bedford*, [2013 SCC 72](#) [*Bedford SCC*].

² *Commission scolaire francophone des Territoires du Nord-Ouest v Northwest Territories (Education, Culture and Employment)*, 2023 SCC 31, at [para 75](#).

enhancement of democracy”, are an important tool in judicial decision making.³ “Far from controversial, these values are accepted principles of constitutional interpretation.”⁴

5. This Court recently reaffirmed that equality is a fundamental democratic value.⁵ It is the “broadest of all guarantees”, in that it applies to and supports all other rights guaranteed by the *Charter*.⁶ This includes the right to life, liberty and security of the person, guaranteed by s 7.

6. Section 7 must be interpreted consistently with the principles and purposes of the equality guarantee to ensure that the law responds to the needs of marginalized groups, whose protection is at the core of that guarantee.⁷

7. This is not a groundbreaking proposition. Various cases have considered the principles and purposes of the equality guarantee in analyzing whether a law violates s 7 or other *Charter* rights (even in cases where ss 15 and 28 are not engaged directly):

- (a) In *Canada (AG) v PHS Community Services Society*, this Court decided the constitutionality of the federal government’s revocation of its previous decision to exempt Insite, a supervised injection site, from criminal prohibitions under the *Controlled Drugs and Substances Act* (“*CDSA*”). This Court found that the decision to revoke the exemption violated s 7, and was arbitrary and grossly disproportionate.⁸ The Court recognized that Insite staff were providing potentially life-saving services to its clientele of people who inject drugs—marginalized and vulnerable individuals who were impacted by lack of adequate housing, disability, childhood physical and sexual abuse, family histories of drug abuse, early exposure to serious drug use, and mental illness.⁹ Although the exemption was necessary for Insite’s

³ *Reference re Secession of Quebec*, [1998] 2 SCR 217, at paras [64-66](#); *Reference re Senate Reform*, 2014 SCC 32, at [para 25](#); *R v National Post*, [2010 SCC 16](#).

⁴ *Law Society of British Columbia v Trinity Western University*, 2018 SCC 32, at [para 41](#) [*Trinity Western University*].

⁵ *Hansman v Neufeld*, 2023 SCC 14, at [paras 9](#) and [82](#).

⁶ *Andrews v Law Society of British Columbia*, [1989] 1 SCR 143, at [185](#).

⁷ *R v Boudreault*, 2018 SCC 58, at [paras 54](#) and [55](#) [*Boudreault*]; *New Brunswick (Minister of Health) v G(J)*, [1999] 3 SCR 46, at [paras 112](#) and [115](#) [*G(J)*]; *R v Williams*, [1998] 1 SCR 1128, at [paras 48](#) and [49](#).

⁸ *Canada (AG) v PHS Community Services Society*, 2011 SCC 44, at [para 127](#) [*PHS*].

⁹ *PHS*, at [paras 7](#) and [8](#).

staff as well as its clients, the Court held that denying the exemption would disproportionately impact the clients, a historically disadvantaged population.

- (b) In *R v Boudreault*, this Court found that mandatory victim surcharges under the *Criminal Code* and *CDSA* violated ss 7 and 12 of the *Charter*. The Court held that the victim surcharges had “a significant impact on the liberty, security, equality, and dignity of those subject to [their] application.”¹⁰ The victim surcharges, the Court said, disproportionately impacted marginalized people who come into contact with the criminal justice system with “staggering regularity” and are, therefore, more likely to be required to pay the charges.¹¹
- (c) In *R v Le*, equality principles (racialization and location in a low-income neighbourhood) supported this Court’s finding that the rights of the accused protected by s 9 of the *Charter* were violated. This Court acknowledged that when dealing with a racialized accused, the s 9 detention analysis must consider “the larger, historic and social context of race relations between the police and the various racial groups and individuals in our society”.¹²
- (d) In *R v Big M Drug Mart*, this Court found that the religious purpose of the Act at issue was incompatible with s 2(a) of the *Charter*. In reaching that result, the Court made clear that even though s 15 was not yet in force, equality values are part of s 2(a), writing: “[a] free society is one which aims at equality with respect to the enjoyment of fundamental freedoms and I say this without any reliance upon section 15 of the *Charter*.”¹³
- (e) In *Victoria (City) v Adams*, the BC Supreme Court found that the effect of a municipal bylaw prohibiting encampments for those experiencing homelessness was to impose “significant and potentially severe additional health risks” on unhoused persons “who are among the most vulnerable and marginalized of the

¹⁰ *Boudreault*, at [para 43](#).

¹¹ *Boudreault*, at [paras 54](#) and [55](#).

¹² *R v Le*, 2019 SCC 34, at [paras 75, 97](#).

¹³ *R v Big M Drug Mart*, [1985] 1 SCR 295, at [p 336](#).

City’s residents.”¹⁴ This effect, the Court found, constituted an interference with the life, liberty and security of the person of these individuals, contrary to s 7.¹⁵

- (f) In *The Regional Municipality of Waterloo v Persons Unknown and to be Ascertained*, the Court found that a municipal bylaw prohibiting the erection of temporary shelters violated s 7 because it exposed unhoused persons in the Region to significant health problems, both physical and psychological. The Court noted that the consequences of enforcing the bylaw would be more severe for those residents of the encampment who suffer from mental illness or substance use.¹⁶

8. The “obvious conclusion” to draw from the jurisprudence is that the protection of equality in the *Charter* is not confined to ss 15 and 28. That equality plays a broader role is especially true when it comes to s 7—a “mansion” with “plenty of room for the equality value.”¹⁷

9. In the present appeal, LEAF urges the Court to follow suit with the above cases and analyze the constitutionality of the impugned provisions under s 7 through a structural intersectional equality lens. Structural intersectionality focuses on understanding how our existing systems—including laws—have created conditions for, and contributed to, the marginalization and discrimination of claimants.¹⁸

10. In assessing the constitutionality of the laws at issue, this Court must meaningfully take account of the lived realities of sex workers—who are disproportionately women and members of other equity-deserving groups—and the structural and systemic barriers that restrict their ability to take measures to protect themselves.

¹⁴ *Victoria (City) v Adams*, 2008 BCSC 1363, at [paras 5](#) and [194](#) [*Adams*] (aff’d with minor changes to the trial judge’s order in 2009 BCCA 563).

¹⁵ *Adams*, at [para 194](#).

¹⁶ *The Regional Municipality of Water v Persons Unknown and to be Ascertained*, 2023 ONSC 670, at [para 104](#) and [117](#).

¹⁷ P. Hogg, “Equality as a Charter Value in Constitutional Interpretation” (2003) 20 *Sup Ct L Rev* 113, at [p 130](#).

¹⁸ Sumi Cho, Kimberlé Williams Crenshaw & Leslie McCall, “Toward a Field of Intersectionality Studies: Theory, Applications, and Praxis” (2013) 38:4 *Signs: Journal of Women in Culture and Society*, at [p 797](#), Book of Authorities of LEAF [BOA], Tab 2, p 18.

B. Equality is relevant in interpreting the impugned provisions’ objectives

11. The Respondent argues that *PCEPA*’s¹⁹ primary purpose is to reduce the demand for sex work and that, to the extent that the law has the incidental purpose of protecting sex workers, the primary purpose is overriding. Respectfully, this position ought to be rejected for four reasons.

12. First, when interpreting a complex legislative scheme, it is necessary to avoid fixating on one objective to the exclusion of others.²⁰ In enacting *PCEPA*, Parliament had several objectives for the impugned law; what Professor Sullivan refers to as “the desired mix of goals.”²¹ While one of Parliament’s objectives may include reducing the demand for sex work, *PCEPA* also reflects an objective of enabling sex workers to access and implement the safety measures recognized by this Court in *Bedford*. This Court must avoid pursuing the former objective at the expense of the latter.²² LEAF supports the submissions of the intervener, David Asper Centre, on this point.

13. Second, there exists a presumption that the legislature does not repeal statutory provisions without effect, and conversely, that the legislature does not speak in vain.²³ It is uncontroverted that Parliament repealed the prior legislation because of this Court’s finding in *Bedford* that it prevented sex workers from taking safety measures, which severely increased the risk of violence and other harms against them. The Court’s ruling is also the reason why Parliament then enacted a new legislative scheme that expressly provides certain immunities and exceptions for sex workers and third parties. There is no other reason why those exceptions and immunities might have been enacted, other than to reflect the fact that one of the central objectives of *PCEPA* is the safety of sex workers.

14. Third, there exists a presumption that Parliament intends for the provisions of an act to be read harmoniously, and to be interpreted and applied so they fit together in a way that respects the act’s multiple objectives and gives purpose and meaning to each provision.²⁴ This presumption is

¹⁹ *Protection of Communities and Exploited Persons Act*, [SC 2014, c. 25](#) [*PCEPA*].

²⁰ *R v Rafilovich*, 2019 SCC 51, at [para 30](#) [*Rafilovich*], citing *Sun Indalex Finance, LLC v United Steelworkers*, 2013 SCC 6, at [para 174](#) [*Sun Indalex*].

²¹ Ruth Sullivan, *The Construction of Statutes* (7th Ed.), Chapter 13: The Act as a Whole, the Statute Book as a Whole and Related Legislation, § 13.02, *BOA*, Tab 1, p 2.

²² *Rafilovich*, at [para 30](#), citing *Sun Indalex*, at [para 174](#).

²³ *Attorney General of Quebec v Carrieres Ste-Therese Ltee*, [1985] 1 SCR 831, at [para 28](#).

²⁴ *Rafilovich*, at [para 20](#).

of particular significance here given that the legislative scheme is made up of offences with exceptions, exceptions to exceptions, and immunities—all of which are inextricably intertwined. It would run contrary to the principles of constitutional and statutory interpretation to assess the impugned provisions in isolation and find, as the Alberta Court of Appeal did here, that they need not conform with the law’s other objectives.²⁵

15. Fourth, courts have applied *Charter* values to develop the common law, including as a tool of statutory interpretation.²⁶ Equality values must inform the approach to the statutory purpose in this case. Taking an equality-infused approach to interpreting *PCEPA* means recognizing that Parliament’s intention to protect “a particularly marginalized population”²⁷ should not be undermined by another objective (*e.g.*, reducing demand).²⁸ By subordinating one objective of the law to another, the effect is to artificially diminish the consideration that Parliament intended to give to the needs and interests of sex workers, many of whom are part of equity seeking groups. Due respect for equality values cannot tolerate that result.

C. Equality is relevant to both stages of the section 7 test

i. Liberty and security of the person

16. The equality guarantee should inform the first stage of the s 7 test, which asks whether there is a sufficient connection between the impugned law and a deprivation of life, liberty and security of the person.

17. At issue in this case are liberty and security of the person. The former is rooted in fundamental notions of human dignity, personal autonomy, privacy and choice in decisions regarding an individual’s fundamental being,²⁹ while the latter protects both the physical and psychological integrity of the individuals.³⁰

²⁵ *R v Kloubakov*, 2023 ABCA 287, at [para 44](#).

²⁶ *Trinity Western University*, at [para 41](#); M. Horner, “Charter Values: The Uncanny Valley of Canadian Constitutionalism” (2014), 67 *S.C.L.R. (2d)* 361, at [pp 364, 367](#) and [371](#).

²⁷ *Bedford SCC*, at [para 86](#).

²⁸ *Trinity Western University*, at [para 41](#).

²⁹ *R v Morgentaler*, [1988] 1 SCR 30, at [p 166](#) [*Morgentaler*], *per* Wilson J.

³⁰ *G(J)*, at paras 55-61; *Morgentaler*, at [p 56](#), *per* Dickson C.J., and [p 173](#), *per* Wilson J.; *Rodriguez v British Columbia (Attorney General)*, [1993] 3 SCR 519, at [p 587](#), *per* Sopinka J. [*Rodriguez*];

18. The pre-existing disadvantages and the structural inequalities faced by sex workers exacerbate the liberty and security of the person infringements caused by the impugned provisions.

19. Any measure that denies an already marginalized and disadvantaged person the ability to take steps to protect themselves is a grave infringement of that individual's security of the person. And any measure that denies an already marginalized and disadvantaged person the ability to make choices about their fundamental being, dignity and autonomy is a grave infringement of that individual's liberty. *PCEPA*'s provisions have both those effects. By preventing vulnerable and marginalized sex workers from exercising their autonomy and making fundamental decisions with respect to their health, safety and bodily integrity, the legislation is a source of inequality. As the Supreme Court noted in *Law*, "the equality guarantee in s. 15(1) is concerned with the realization of personal autonomy and self-determination."³¹ The ability to make one's own decisions is integral to the realization of security, dignity, personal autonomy and self-determination.

ii. Overbreadth and gross disproportionality

20. The equality guarantee is also well-suited to inform the second stage of the s 7 test, which asks whether or not the deprivation of life, liberty and security of the person is in accordance with the principles of fundamental justice.

21. At issue here are the principles of overbreadth and gross disproportionality. The former requires the Court to determine whether the law is so broad that it captures conduct that bears no relation to its purpose;³² while the latter requires the Court to determine whether the effects of the law are so grossly disproportionate to its purpose that it cannot rationally be supported.³³

22. Both inquiries take into account the effects of the law. They are well-suited to consider, as part of their respective analyses, whether the law at issue has a more severe impact on a disadvantaged group or individual or has the effect of perpetuating the disadvantages and

Reference re ss 193 and 195.1(1)(c) of the Criminal Code (Man), [1990] 1 SCR 1123, at [p 1177](#), per Lamer J.

³¹ *Law v Canada*, [1999] 1 SCR 530, at [para 53](#), citing Lamer CJ in *Rodriguez*, at [p 554](#).

³² *Bedford SCC*, at [paras 112](#) and [113](#).

³³ *Bedford SCC*, at [paras 120-122](#).

stereotyping they face. It is uncontroversial that the effects of a law “can be experienced differently by those who are differently situated.”³⁴

23. In *Boudreault*, this Court wrote:

In a constitutional context, the court is also called upon to consider the rights of particular individuals who may be affected by this punishment in a way that is grossly disproportionate, understanding that people have varied life situations and many are impecunious, impoverished, ill, disabled, addicted and/or otherwise disadvantaged.²³

24. The same is true here (and is relevant to overbreadth). A proper incorporation of equality values into the principles of fundamental justice analysis compels this Court to account not only for the extent of a given harm, but also for who is affected and how their experience may be uniquely harmful. In *Bedford*, the majority of the Court of Appeal was criticized by the dissent for failing “to properly consider the vulnerability of the persons most affected by the communicating provision and the ways in which their vulnerability magnifies the adverse impact of the law.”³⁵ In the context of s 7, the dissent wrote: “The equality values underlying s. 15 of the *Charter* require careful consideration of the adverse effects of the provision on disadvantaged groups.”³⁶

25. As in *Bedford*, the relevant focal point here must be the rights of the sex workers who may be affected by the impugned provisions in a way that is grossly disproportionate and overly broad, understanding that many sex workers face discrimination on intersecting grounds such as gender/sex, gender identity, race, and disability, in addition to poverty and other forms of inequality and disadvantage.

26. Though LEAF does not take a position on the ultimate outcome of the appeal, its position is that, by criminalizing various aspects of sex work, the impugned provisions limit the ability of sex workers to improve working conditions or take protective measures. These restrictions have the effect of perpetuating structural inequality faced by sex workers, resulting in discrimination on the intersecting grounds of sex, gender identity, race and other analogous grounds.

³⁴ *Boudreault*, at [para 66](#).

³⁵ *Bedford CA*, at [para 354](#), endorsed indirectly by the Supreme Court in *Bedford SCC*, at [paras 148 to 159](#).

³⁶ *Bedford CA*, at [para 356](#).

27. Specifically, the impugned provisions limit the ability of sex workers to work indoors in a fixed location with the safety-providing assistance of staff. These barriers force sex workers onto the street or prevent street sex workers from having the opportunity to work indoors.³⁷ It is uncontroverted that street sex workers face substantially heightened risks of violence, as compared to those who work indoors.³⁸ The individuals who are disproportionately affected by the violence associated with street sex work are those who are already marginalized. Dr. Roots' trial evidence confirmed that there is a division between indoor sex workers and those who worked on the street, with the former tending to be White and more educated, and the latter tending to be more marginalized and racialized.³⁹ In Winnipeg, for example, 50% of street workers were found to be Indigenous, whereas only 10% of Winnipeg's population is Indigenous.⁴⁰

28. The *PCEPA* provisions also have the effects of isolating sex workers, which is a key factor that enables violence to occur.⁴¹ Because of the criminalization of partnerships, massage parlours, brothels and management of sex workers, sex workers are forced to work alone. Further, by criminalizing the purchase of services from sex workers, the *PCEPA* provisions deter client cooperation with safety-promoting screening protocols.

29. To reduce the risk of criminal consequences, exchanges with potential clients occur more quickly and outside of the public's view. As found in *Bedford*, the ability of sex workers to screen clients by communicating with them is an important safety-promoting protocol. Forcing sex workers to make their assessments of the clients more quickly than they would otherwise be comfortable with and in isolated areas makes it more difficult for them to stay safe.⁴²

30. These harmful effects are directly contrary to the safety objective of the law. They are also the reason why the provisions at issue in *Bedford* were found to be unconstitutional, yet they arise equally under the *PCEPA* regime.

³⁷ *R c Kloubakov*, [2021 ABKB 960](#), at [paras 126-127, 137](#) [*Kloubakov KB*].

³⁸ *Kloubakov KB*, at [para 127](#).

³⁹ Appellants' Record [AR] – Vol. IX (Part V), Tr of Examination of Dr. Roots, p 1400.

⁴⁰ AR – Vol. IX (Part V), Tr of Examination of Dr. Roots, pp 1401-1402.

⁴¹ AR – Vol. IX (Part V), Tr of Examination of Dr. Roots, pp 1404-1405.

⁴² AR – Vol. IX (Part V), Tr of Examination of Dr. Roots, pp 1403-1405.

31. By continuing to criminalize sex work, the *PCEPA* regime perpetuates disadvantages faced by marginalized individuals. Sex work remains stigmatized, leaving sex workers vulnerable to violence, fearful of reporting incidents to police, and unable to exercise autonomy by structuring their working environment in ways that promotes their own safety. While the legislation purports to reduce exploitation, ironically it is the *PCEPA* itself, and the restrictions it imposes under threat of criminal prosecution, that create the conditions in which exploitation, violence and harm to sex workers can occur.

32. Equality values require careful consideration of these adverse effects when conducting the overbreadth and gross disproportionality analyses. Seen through an equality lens, it is clear that by capturing and criminalizing conduct that is not exploitative or harmful to sex worker safety and that, to the contrary, promotes sex worker safety, the law is overbroad—it captures conduct that bears no relation to its purpose. Further, it is self-evident that by forcing sex workers to work in unsafe conditions, the effects of the law are so grossly disproportionate to its safety purpose that the impacts cannot rationally be supported.

PART IV - SUBMISSIONS CONCERNING COSTS

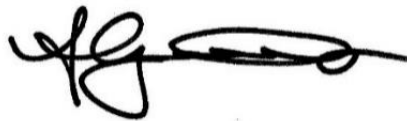
33. LEAF does not seek costs and asks that costs not be awarded against it.

PART V - ORDER SOUGHT

34. LEAF takes no position on the outcome of this appeal.

ALL OF WHICH IS RESPECTFULLY SUBMITTED this 5th day of July 2024.

Per:



Andrea Gonsalves / Alexandra Heine / Olivia Eng

STOCKWOODS LLP

Lawyers for the Intervener, LEAF

PART VI - TABLE OF AUTHORITIES

Case law

No.	Authority	Paragraph Reference
1.	<i>Andrews v Law Society of British Columbia</i> , [1989] 1 SCR 143	5
2.	<i>Attorney General of Quebec v Carrieres Ste-Therese Ltee</i> , [1985] 1 SCR 831	13
3.	<i>Canada (Attorney General) v Bedford</i> , 2012 ONCA 186	2, 24
4.	<i>Canada (Attorney General) v Bedford</i> , 2013 SCC 72	2, 15, 21, 24
5.	<i>Canada (Attorney General) v PHS Community Services Society</i> , 2011 SCC 44	7
6.	<i>Commission scolaire francophone des Territoires du Nord-Ouest v Northwest Territories (Education, Culture and Employment)</i> , 2023 SCC 31	4
7.	<i>Hansman v Neufeld</i> , 2023 SCC 14	5
8.	<i>Law v Canada</i> , [1999] 1 SCR 530	19
9.	<i>Law Society of British Columbia v Trinity Western University</i> , 2018 SCC 32	3, 15
10.	<i>New Brunswick (Minister of Health and Community Services) v G (J)</i> , [1999] 3 SCR 46	6
11.	<i>Reference re Secession of Quebec</i> , [1998] 2 SCR 217	4
12.	<i>Reference re Senate Reform</i> , 2014 SCC 32	4
13.	<i>Reference re ss 193 and 195.1(1)(c) of the Criminal Code (Man)</i> , [1990] 1 SCR 1123	17
14.	<i>Rodriguez v British Columbia (Attorney General)</i> , [1993] 3 SCR 519	17, 19
15.	<i>R v Big M Drug Mart</i> , [1985] 1 SCR 295	7
16.	<i>R v Boudreault</i> , 2018 SCC 58	6, 7, 22
17.	<i>R v Kloubakov</i> , 2023 ABCA 287	14

No.	Authority	Paragraph Reference
18.	<i>R c Kloubakov</i> , 2021 ABKB 960	27
19.	<i>R v Le</i> , 2019 SCC 34	7
20.	<i>R v Morgentaler</i> , [1988] 1 SCR 30	17
21.	<i>R v National Post</i> , 2010 SCC 16	4
22.	<i>R v Rafilovich</i> , 2019 SCC 51	12, 14
23.	<i>R v Williams</i> , [1998] 1 SCR 1128	6
24.	<i>Sun Indalex Finance, LLC v United Steelworkers</i> , 2013 SCC 6	12
25.	<i>The Regional Municipality of Water v Persons Unknown and to be Ascertained</i> , 2023 ONSC 670	7
26.	<i>Victoria (City) v Adams</i> , 2008 BCSC 1363	7

Secondary Sources

No.	Secondary Source	Paragraph Reference
1.	M. Horner, “Charter Values: The Uncanny Valley of Canadian Constitutionalism” (2014), 67 S.C.L.R. (2d) 361	15
2.	P. Hogg, “Equality as a Charter Value in Constitutional Interpretation” (2003) 20 Sup Ct L Rev 113 , at 130.	8
3.	Ruth Sullivan, <i>The Construction of Statutes</i> (7 th Ed.), Chapter 13: The Act as a Whole, the Statute Book as a Whole and Related Legislation, § 13.02	12
4.	Sumi Cho, Kimberlé Williams Crenshaw & Leslie McCall, “Toward a Field of Intersectionality Studies: Theory, Applications, and Praxis” (2013) 38:4 Signs: Journal of Women in Culture and Society	9

Statute, Regulation, Rule, etc.

No.	Statute, Regulation, Rule, etc.	Section, Rule, Etc.
1.	<i>Criminal Code</i> , RSC 1985, c C-46	s. 286.2(1) s. 286.2(4) s. 286.2(5) s. 286.2(5)(d), (e) s. 286.3(1)
	<i>Code criminel</i> , LRC 1985, c C-46	s. 286.2(1) s. 286.2(4) s. 286.2(5) s. 286.2(5)(d), (e) s. 286.3(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.	<i>Rules of the Supreme Court of Canada</i> , SOR/2002-156	R 37 R 42
	Règles de la Cour suprême du Canada, DORS/2002-156	R 37 R 42
4.	The Constitution Act, 1982, Schedule B to the Canada Act 1982 (UK) , 1982, c 11	s. 2(a), (b) s. 7 s. 12 s. 15 s. 28
5.	<i>Loi constitutionnelle de 1982, Annexe B de la Loi de 1982 sur le Canada (R-U), 1982, c 11</i>	arts. 2(a), (b) art. 7 art. 12 art. 15 art. 28