



VCASE ANALYSIS on DENIS DECISION

The Supreme Court of Canada's July 2026 *Denis* decision marks a significant milestone in the ongoing effort to protect vulnerable Canadians and uphold the integrity of the country's legal framework surrounding sexual exploitation.

In the *Denis* decision, the Supreme Court upheld the constitutionality of mandatory minimum sentences for adults who attempt to purchase sexual services from minors, affirming Parliament's authority to impose strong penalties to deter predatory demand.

The Court also reinforced the broader legal framework that criminalizes the purchase of sex, confirming that these measures are a valid and necessary part of Canada's strategy to prevent sexual exploitation.

VCASE applauds this ruling not only for its immediate impact on safeguarding children from sexual predators, but also for its broader affirmation of Parliament's intent in criminalizing the purchase of sex. In doing so, the Court has reinforced a legal stance that rejects the increasingly discredited notion that prostitution is merely "sex work."

At its core, the *Denis* decision underscores a fundamental principle: the law must prioritize the safety, dignity, and humanity of those most at risk of exploitation. Children, in particular, are uniquely vulnerable to manipulation, coercion, and abuse.

By upholding defined legal consequences for adults who attempt to purchase sexual access to minors, the Court has reaffirmed that Canada's justice system will not tolerate predatory behaviour disguised as consensual exchange. This clarity is essential. It signals to law enforcement, prosecutors, and communities that protecting children is not merely a policy preference but a legal imperative.

Equally important, moreover, is the decision's broader affirmation of Canada's legislative approach to prostitution. Since the passage of the Protection of Communities and Exploited Persons Act (PCEPA) in 2014, Canadian law has recognized prostitution as a form of exploitation—one that disproportionately affects women, Indigenous people, migrants, and those living in poverty.

Indeed, the Court decision explicitly states, "As recognized by the preamble to the Protection of Communities and Exploited Persons Act, S.C. 2014, c. 25, sexual commodification inherently constitutes a form of serious exploitation that causes significant societal harm and undermines human dignity and equality."

The *Denis* ruling strengthens this framework by rejecting arguments that seek to normalize or commercialize prostitution under the banner of "sex work." While some advocates claim that prostitution can be safely regulated as a legitimate industry, mounting evidence—including research from survivor-led organizations—demonstrates that prostitution is inseparable from coercion, violence, and systemic inequality.

The Supreme Court decision could not be clearer in its rejection of the language used by pro-prostitution groups in their attempt to decriminalize prostitution and overturn PCEPA.

Focusing specifically on the defendant's attempt to purchase sex from a minor, the judges write, "Let us be clear from the start: terms like 'sex worker' ought not to be used in describing children who are victims of sexual commodification. These terms greatly trivialize the gravity of the crime and do nothing but obscure the true nature of the exploitative relationship that exists between the victims of this crime and the offenders who commit it."

Importantly, the Supreme Court ruling also notes that, in passing PCEBA in 2014, Parliament decided that prostitution must no longer be treated as merely a kind of nuisance, "but rather as what it really is, 'a form of exploitation.'"

"Therefore," the Supreme Court states, "the objective [of Canadian prostitution law] is no longer to protect good morals, but rather to severely punish interference with the bodily and psychological integrity of victims and to denounce both the objectification and the commodification of the human body. The arsenal of the criminal law is truly being used to uphold the dignity of victims, which is gravely wounded by offences related to the commodification of sexual services."

VCASE applauds the Court's reference to the importance of PCEPA and supports the Supreme Court's reinforcement of a legal model that targets demand rather than punishing those who are exploited.

This approach aligns Canada with a growing international consensus that views prostitution not as a neutral transaction but as a harmful practice rooted in gendered power imbalances.

The *Denis* decision therefore represents more than a legal victory; it is a cultural and ethical affirmation that human beings should never be treated as commodities.

VCASE celebrates this ruling because it strengthens both the protection of children and the broader fight against sexual exploitation. It sends a clear message that Canada will not retreat from its commitment to safeguard vulnerable persons, nor will it accept narratives that attempt to sanitize or legitimize the purchase of sexual access.

In defending the law, the Supreme Court has upheld a vision of justice that recognizes the inherent dignity of every person and rejects the commodification of human bodies.

For advocates, survivors, and communities across the country, the *Denis* decision stands as an important step forward in building a Canada where exploitation is confronted, and where children, the most vulnerable among us, are protected with unwavering resolve.