Submission Regarding Bill C-30

An Act to Implement Certain Provisions of the Spring Economic Update Tabled in Parliament on April 28, 2026

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Land Acknowledgement

The BC Coalition of Experiential Communities acknowledges that our work takes place on the traditional, ancestral, and unceded territories of Indigenous Peoples across what is now known as British Columbia. We recognize the ongoing impacts of colonialism and affirm the importance of Indigenous self-determination, safety, and inclusion in public policy development.

Who We Are

Since 2002, the BC Coalition of Experiential Communities (BCCEC) are a democratic organization of sex workers representing diverse race, gender and genre in sex work across the BC Region.

Our work focuses on law and policy reform based on evidence and fact and on placing the voices of sex workers at the centre of all work that could impact our lives and safety.

The BCCEC works on issues relating to public safety, housing, health care, access to justice, financial services, human rights, and government policy. Our work is informed by lived experience, community engagement, and research.

Why This Matters to Sex Workers

Sex work is decriminalized in Canada. While aspects of Canada's legislative framework continue to regulate the purchase of sexual services and related activities, the act of selling sexual services is lawful. As a result, sex workers participate in Canada's financial system as workers, self-employed individuals, business owners, tenants, borrowers, taxpayers, and consumers.

Like other Canadians, sex workers open bank accounts, obtain mortgages, use payment systems, receive income, pay taxes, operate businesses, and participate in economic life. Legislation affecting financial systems, accountability mechanisms, and access to remedies is therefore directly relevant to our community.

The Population Project is the most comprehensive empirical count of sex workers ever conducted in Canada. The project identified a minimum of 169,000 Canadians who have engaged in sex work and approximately 26,000 people participating in any given month. The findings demonstrated that sex workers represent a substantial population of Canadians rather than a small or isolated group. The project further found that approximately 83% of participants were women.

These findings are significant from a GBA+ perspective. Women who do sex work are not a trivial population and cannot be dismissed as too small to warrant consideration when legislation, policy, regulatory frameworks, or institutional practices may affect their lives. Where foreseeable impacts exist, meaningful consideration of those impacts is required regardless of whether a community is explicitly named within the legislation.

Sex workers experience significant barriers to financial participation due to the continued conflation of sex work and human trafficking.

Although sex work is lawful, women who do sex work continue to report barriers in accessing banking services, mortgages, payment processing services, credit, investment products, and other financial tools necessary for full participation in economic life.

These barriers are not hypothetical. They have been documented through community engagement, organizational advocacy, human rights complaints, and the lived experiences of women who do sex work across Canada. Experiences reported to our organization include account closures, denial of financial services, inability to access mortgages or business financing, enhanced scrutiny of transactions, restrictions on payment processing, account closures, and exclusion from financial products available to other Canadians.

The concern is that lawful sex work is frequently conflated with human trafficking, money laundering, organized crime, or other forms of criminal activity. This conflation can result in women who do sex work being treated as inherently suspicious despite engaging in lawful economic activity.

The concern raised in this submission is not that Bill C-30 is directed at sex workers. Rather, it is that accountability mechanisms within financial systems should be examined through a human rights and GBA+ lens to ensure that communities already experiencing disproportionate scrutiny or exclusion are not adversely affected by legislative changes that reduce access to remedies.

The purpose of GBA+ is to identify and address foreseeable impacts before they occur, particularly where legislation may affect groups that are not explicitly named in the legislation itself.

Evidence of Existing Harm

The concerns raised in this submission are not theoretical.

The BCCEC is currently engaged in efforts to address financial exclusion experienced by women who do sex work. Through community engagement, advocacy, and human rights processes, women who do sex work have reported barriers to banking, payment processing, mortgages, business financing, and other financial services.

Examples reported to our organization include:

- Refusal of mortgage financing despite otherwise meeting lending requirements;
- Inability to obtain business accounts, merchant services, or payment processing tools;
- Account restrictions, closures, or enhanced scrutiny based upon assumptions relating to sex work;
- Loss of access to on-line payment and advertising systems necessary for independent self-employment;
- Exclusion from financial products and services available to other Canadians; and
- Increased vulnerability to exploitation resulting from an inability to safely access mainstream financial services.

These experiences are not isolated incidents. They reflect a broader pattern of exclusion arising from the continued conflation of lawful sex work with human trafficking, money laundering, organized crime, and other forms of criminal activity.

The BCCEC's concern is that where barriers and harms are already being reported, reducing access to remedies without a corresponding increase in oversight, transparency, accountability, and review mechanisms may further weaken public confidence in the fairness of Canada's financial systems.

The issue is not whether institutions are acting with good intentions. The issue is whether individuals who experience harm retain meaningful opportunities to challenge decisions, seek correction, and obtain redress when appropriate.

Purpose of this Submission

The BCCEC wishes to raise concerns regarding Clause 37 of Bill C-30, which would add section 44.1 to the Canadian Payments Act.

The proposed section states:

> *"44.1(1) The Association, its directors, its officers, its employees and other individuals whose services are engaged by it have immunity from any civil liability, other than in contract, to which they would otherwise be subject for anything done or omitted to be done in good faith in the administration or discharge of any powers or duties that under this Act are intended or authorized to be executed or performed."*

Our concern is not with the legitimate objective of maintaining the integrity and efficiency of Canada's payment systems. Rather, our concern is whether adequate accountability mechanisms remain available when Parliament chooses to limit civil remedies that would otherwise be available to members of the public.

Accountability and Public Confidence

The proposed amendment creates a new immunity from civil liability for Payments Canada, its directors, officers, employees, and individuals whose services are engaged by it.

While the immunity is limited to actions taken in good faith and does not apply to contractual liability, it nevertheless reduces one avenue through which individuals may seek redress when harms occur.

At the same time, subsection 44.1(2) preserves liability between these individuals and the Association itself:

> *"Despite subsection (1), the individuals referred to in that subsection are not relieved of any liability to the Association."*

This distinction raises an important question: why is internal accountability preserved while external remedies available to the public are reduced?

Where documented harms and barriers already exist, reducing access to remedies is not generally in the public interest. Accountability mechanisms serve an important role in identifying systemic problems, encouraging institutional improvement, and ensuring that individuals who experience harm have access to review, correction, and redress.

The concern is not limited to a single institution. Across government and the financial sector there has been increasing reliance upon intelligence-led approaches, risk indicators, information sharing, and data-driven decision making.

The BCCEC notes that financial intelligence increasingly operates within broader information-sharing and threat assessment environments. FINTRAC participates within Canada's integrated security and intelligence architecture, including the Integrated Threat Assessment Centre (ITAC), which brings together information and expertise from multiple federal partners for the purpose of assessing threats and risks to Canada.

As financial intelligence, risk indicators, and threat assessment methodologies become increasingly interconnected, accountability, transparency, and meaningful avenues for review become increasingly important. Where information, indicators, or assessments may influence decisions across multiple institutions, the potential impacts of errors, assumptions, or unintended consequences may also be amplified.

Financial institutions, payment systems, intelligence bodies, and government agencies increasingly rely upon indicators, risk assessments, information-sharing arrangements, and automated systems to identify and manage risk. Decisions arising from these systems can have significant impacts on individuals' access to financial services and their ability to participate fully in economic life.

The BCCEC's concern arises from the documented conflation of lawful sex work and human trafficking within financial, regulatory, and public safety environments. While efforts to combat trafficking are important, measures developed without meaningful engagement with sex workers can create unintended consequences for the much larger population of women engaged in lawful sex work.

As these systems become more interconnected, accountability mechanisms become increasingly important. Individuals affected by decisions arising from such systems may have little visibility into how decisions were made, what information was relied upon, or how errors may be corrected.

The issue is not the intention of Parliament or Payments Canada. The issue is whether the practical effect of reducing available remedies serves the public interest in circumstances where documented harms and barriers already exist.

Questions for Parliament

The BCCEC respectfully requests clarification regarding:

1. What specific problem, legal risk, or policy objective this immunity provision is intended to address;
2. What remedies remain available to individuals adversely affected by decisions or actions protected by the proposed immunity;
3. Whether any privacy, human rights, or Gender-Based Analysis Plus (GBA+) assessments were conducted in relation to this amendment;
4. Whether Parliament has considered the cumulative impact of increasing reliance on indicators, risk-based decision making, intelligence products, information-sharing arrangements, and automated systems across financial and public safety environments;
5. What oversight, transparency, review, correction, and complaint mechanisms remain available where individuals believe they have been adversely affected by decisions made within the payment system; and

6. Whether Parliament considered the potential impacts of the proposed amendment on communities that have historically experienced exclusion from financial services, including women who do sex work.

Recommendations

The BCCEC respectfully recommends that Parliament:

1. Provide a public explanation of the necessity and intended scope of the proposed immunity provision;
2. Confirm what remedies remain available to members of the public who experience harm arising from actions covered by the immunity provision;
3. Publish any privacy, human rights, and GBA+ analyses conducted in relation to the amendment;
4. Ensure that legislative measures affecting financial systems are subject to meaningful human rights review, particularly where those systems rely upon indicators, risk assessments, intelligence products, or automated decision-making tools;
5. Ensure meaningful engagement with communities likely to be affected by such systems, including women who do sex work; and
6. Consider the establishment of accessible oversight and complaint mechanisms where individuals are adversely affected by decisions made within increasingly complex financial and payment systems.

Conclusion

Public confidence in Canada's financial institutions depends not only upon their ability to manage risk, but also upon the existence of meaningful accountability, transparency, and access to remedies when harms occur.

Clause 37 of Bill C-30 proposes to limit civil liability for Payments Canada and certain associated individuals acting in good faith. While the objective may be administrative efficiency or legal certainty, Parliament should be particularly cautious when limiting civil remedies in areas where documented harms and barriers already exist.

The BCCEC submits that where documented barriers to financial participation already exist, the public interest is generally served by expanding accountability and access to remedies rather than restricting them.

The BCCEC therefore respectfully requests that Parliament carefully examine the necessity, scope, and potential impacts of proposed section 44.1 before adopting the amendment.

Authorities and Sources

Legislation

Bill C-30, An Act to implement certain provisions of the Spring Economic Update tabled in Parliament on April 28, 2026, 1st Sess., 45th Parl., Clause 37, proposed s. 44.1, Canadian Payments Act.

Canadian Payments Act, R.S.C. 1985, c. C-21.

Canadian Human Rights Act, R.S.C. 1985, c. H-6.

Jurisprudence

Canada (Attorney General) v. Bedford, 2013 SCC 72.

Government Policy and Guidance

Government of Canada, Gender-Based Analysis Plus (GBA+) Framework.

Government of Canada, Department of Women and Gender Equality Canada, Gender-Based Analysis Plus (GBA+) Analytical Process.

Research and Evidence

Population Project, Empirical Count of Sex Workers in Canada.

British Columbia Association of Chiefs of Police, Sex Work Enforcement Guidelines (2017).

Vancouver Police Department, Sex Work Enforcement Guidelines and Lowest Level Enforcement Policy.

BC Coalition of Experiential Communities, From the Curb: Sex Work, Violence and Barriers to Safety (2006).

Community Evidence and Human Rights Proceedings

BC Coalition of Experiential Communities, Community Engagement Reports and Documentation Regarding Financial Exclusion, Housing Exclusion, Online Exclusion, and Barriers to Services Experienced by Women Who Do Sex Work.

Canadian Human Rights Commission Proceedings Concerning Financial Exclusion and Denial of Services Experienced by Women Who Do Sex Work, including evidence regarding barriers to banking services, payment processing, mortgages, credit, and financial participation.

Organizational Information

BC Coalition of Experiential Communities (BCCEC), Organizational Materials, Policy Briefs, Consultation Reports, and Community Engagement Documentation.