

Nellie's Summary Position on Women and Criminalization

Nellie's mission is to operate programs and services for women and children who have and are experiencing oppressions such as violence, poverty and homelessness. Nellie's is a community based feminist organization which operates within an anti-racist, anti-oppression framework. We are committed to social change through education and advocacy, to achieve social justice for all women and children

We understand that the criminalization of women is not just the process of experiencing arrest, coming into the contact with the law, criminal convictions or incarceration, but as a systemic targeting of oppressed and marginalized people.

Nellie's recognizes the process of criminalization as traumatic, especially to women who have already been traumatized by violence against women (VAW) and other interlocking systems of oppression. The term women is inclusive to Trans women and Cis women alike; however, we recognize the unique experiences of Trans women, gender queer and non-binary people within the legal system.

NELLIE'S RECOGNIZES THAT THERE ARE INTERSECTIONS THAT GREATLY INCREASE THE RISK OF CRIMINALIZATION OF WOMEN, WHICH INCLUDE:

- ✓ Women who use drugs
- ✓ Women who are in poverty
- ✓ Indigenous women
- ✓ Black women
- ✓ Women who do sex work
- ✓ Women with mental health concerns
- ✓ Trans, Genderqueer and Non-Binary folks
- ✓ Women experiencing violence

We disagree with the criminalization, incarceration and unjust treatment of women who are simply trying to survive and come into contact with the law and the criminal injustice system because they are protecting themselves and their livelihoods, including their children and families



Nellie's position on **drug use** is that it should not be punished, and should be decriminalized.

We must work to ensure that people experiencing **poverty** and social isolation are not criminalized and that the oppressions leading to those circumstances are eliminated.

Our position on the disproportionate number of **Indigenous** women being criminalized is that the legal system is a racist system of colonization that directly targets and punishes Indigenous bodies.

Nellie's supports **Black** Lives Matter and we aim to be allies to the movement. We do not support the overt and covert anti-Black racism inherent in all systems, especially the legal system and Criminal (In)Justice system.

We support **sex work** and the right for women to choose to do sex work, while recognizing the differences between those who voluntarily choose to do sex work and those who are forced to do sex work. We support both groups and aim to increase safety and reduce stigma.

We believe that people with **Mental Health** should not be criminalized or incarcerated and support peer interventions within community agencies to prevent people being barred from accessing services such as drop-ins and meal programs.

We at Nellie's recognize the need for correctional facilities to be safe for **Trans, Gender queer and Non-Binary people**.

Action for change

Abolish the prison system and divert funding for prisons to social services such as housing and mental health supports; as well as into employment opportunities. In the alternative, we will advocate for transformative justice and alternative measures to ensure women are not convicted and incarcerated for non-violent crimes of survival.

Increase funding for, and access to, community supports such as food banks, safe shelter beds, housing, and other programs, to reduce poverty and achieve income security for women and their families.

Decriminalize drug use and increase access to harm reduction supplies, programs and safe injection sites.

Acknowledge and respect sex work as work, which must include a rewrite of Bill C-36.

Overhaul the criminal injustice system by implementing mandatory training that is rooted in anti-oppression, and anti-Racism principles.

For More Information on Nellie's Position on Women and Criminalization visit:

<http://www.nellies.org/2019/03/01/position-paper-women-criminalization/>

[Elizabeth Fry Toronto - https://www.efrytoronto.org/actions/](https://www.efrytoronto.org/actions/)

Nellie's advocates for decriminalization and transformative justice that does not rely on increased law enforcement. We adhere to a social justice approach that aims to prevent and divert women from becoming criminalized. We recognize the barriers within the legal and correctional systems, as well as the barriers women face upon release, as further traumatizing women and preventing women from accessing the support they need.