DIGNITY NETWORK CANADA WELCOMES THE PRIVY COUNCIL'S RULING IN *JONES V ATTORNEY GENERAL OF TRINIDAD AND TOBAGO*

Toronto, 10 November 2026

Dignity Network Canada warmly welcomes today's judgment of the Judicial Committee of the Privy Council in *The Attorney General of Trinidad and Tobago v Jason Jones* [2026] UKPC 38, which held that sections 13 and 16 of Trinidad and Tobago's Sexual Offences Act 1986 infringe the constitutional right to respect for private and family life. The Board allowed Mr Jones's appeal and dismissed the Attorney General's cross-appeal, holding that the provisions criminalising "buggery" and "serious indecency" must be interpreted subject to the Constitution so as to make it clear that they do not apply to criminalise private, consensual sexual relations between adults of the same sex.

This outcome is a vindication for Jason Jones, whose uncontested evidence detailed near-daily public harassment, physical attacks during his performances as a singer, police failures to protect him, and a constant fear of arrest because of his identity. His pursuit of this challenge for close to a decade, through three levels of court and against the opposition of his own government, marks considerable personal courage. We congratulate him, and we honour the Trinidadian and Caribbean advocates and organisations whose work and solidarity have sustained the case over those years.

We are also encouraged by the Board's reasoning, which is relevant well beyond Trinidad and Tobago. The Board held that the justification for the Sexual Offences Act of 1986 must be assessed against today's standards, not those of the year it was passed, and stated plainly that the survival of a repressive law from the colonial period cannot, by itself, supply a legitimate aim. The Board placed its decision alongside rulings from Belize, Antigua and Barbuda, Saint Kitts and Nevis, Barbados, Dominica and Saint Lucia, and observed the progressive trend in the region. We agree with that assessment, and it is evidence of years of strategic litigation by Caribbean movements.

We acknowledge the close connections between Canada and Trinidad and Tobago, including strong support from the Canadian legal community in this important decision. The Board received written submissions from Colours Caribbean, the Silver Lining Foundation, OUTBermuda, the United Belize Advocacy Movement and ILGA-North America and the Caribbean. These organisations were represented pro bono by Canadian lawyers Adam Goldenberg and Grace McDonell of McCarthy Tétrault, alongside Anna Hoffmann of 4 Pump Court and the LGBTQ+ Advocacy Clinic at Harvard Law School, instructed by Enyo Law LLP. The Board itself recorded its thanks to counsel. This kind of partnership is a sign of strong global solidarity : Canadian legal resources supporting litigation led and directed by Caribbean movements.

We welcome this ruling, but our optimism is tempered by the work that remains to be done. The judgment applies only to Trinidad and Tobago, and, unfortunately, similar provisions remain in force elsewhere in the Commonwealth Caribbean, including Jamaica, Guyana, Grenada and Saint Vincent and the Grenadines. A change in the law will not, by itself, end harassment, police inaction, or exclusion from employment, housing and family recognition. Mr Jones's experience shows how these harms persist when the State fails to act. The government of Trinidad and Tobago and several religious bodies opposed this challenge, so we expect the implementation period to be contested.

Canada has an opportunity to stand with Caribbean LGBTQI+ communities at this pivotal moment. We call on the Government of Canada to publicly welcome the judgment, engage Trinidad and Tobago through bilateral and Commonwealth channels to support its full implementation, and sustain direct funding for Caribbean SOGIESC organisations—including by increasing Canada's LGBTIQ International Assistance Program, which has been a strong supporter of LGBTIQ communities in the Caribbean. The courts have done their part, but the work of making equality a reality in people's lives continues, and so should Canadian support for this.



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