



Criminalization of Clients in Canada: Recreating the Same Harms to Sex Workers' Health & Safety

Background

As Sweden, Norway and other countries move to criminalize the purchase of sexual services, Vancouver, Canada provides a unique opportunity to look at the potential impact of laws making it illegal to buy, but not to sell, sexual services, as in January 2013 the Vancouver Police Department (VPD) adopted sex work enforcement guidelines that focus on sex workers' safety while continuing to arrest clients.

The Question

How does an enforcement model targeting clients impact sex workers' health & safety?

The Research

Between January and November 2013, the Gender & Sexual Health Initiative (GSHI) research team conducted **31 in-depth interviews with street-based sex workers, observed street-based sex work environments, and reviewed publically available police statistics**. This project is part of AESHA (An Evaluation of Sex Worker's Health Access) an ongoing study on working conditions, health and safety in the sex industry led by GSHI/BCCfE and UBC, in collaboration with a range of community partners, that includes ongoing outreach to street and indoor sex work venues.

Key Findings

Police statistics show: arrest for sex work-related Criminal Code offences increased after the new guidelines from **47 in 2012 to 71 in 2013**.

Sex workers' narratives show:

- 1) Criminalization and enforcement of clients has no impact on how often marginalized street-based sex workers work.
- 2) Criminalization and enforcement of clients severely limits street-based sex workers' control over their health and safety:
 - **Inability to Screen Clients or Negotiate Terms of Transactions:** To avoid police sex workers are forced to limit or forgo screening clients (e.g. checking 'bad date' reports, looking for intoxication or weapons) or negotiating terms (e.g. fee, services, condom use, location of date) before getting in a vehicle, placing sex workers at increased risk for violence, abuse, and HIV.
 - **Displacement to Isolated Areas:** Many clients want to move to unknown, secluded, industrial areas to avoid police and arrest, increasing sex workers' risk of physical violence and rape, and reducing their ability to safely negotiate the terms of the transaction (e.g. insisting a client use condoms).
 - **Inability to Access Police Protection:** Sex workers continued to be in an adversarial relationship with police when clients were targeted, and reported reluctance to report violence, for fear that information about their clients, or where and how they work, would be used to target their clients.

'Harassing the clients is exactly the same as harassing the women. You harass the clients and you're in the exact same spot you were before. It's exactly the same thing. Exactly. I'm staying out on the streets. I'm out there, at risk. I'm in jeopardy of getting raped, hurt.'
– Vancouver Sex Worker

The Legal and Policy Implications

- This study provides clear evidence from the lived experiences of marginalized, street-based sex workers that criminalization of clients reproduces the same harms to sex workers' health and safety as the failed criminalized model in Canada, including increasing risks for violence, abuse and HIV.
- This research supports global policy guidelines calling for full decriminalization of sex work as a necessary evidence-based approach to ensuring the health and safety of sex workers.

Krusi A, Pacey K, Bird L, Taylor C, Chettiar J, Allan S, Kerr T, Montaner JS, Shannon K. Criminalisation of clients: reproducing vulnerabilities for violence and poor health among street-based sex workers in Canada - a qualitative study. *BMJ Open* 2014; 4:e005191.