

Violence by Clients against Street-Level Sex Workers: Applying Situational Crime Prevention Strategies

by

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Abstract

Street-level sex workers are at high risk of violence. In Canada, a total of 161 sex workers have been murdered from 1991 to 2012 due to their engagement in sex work. Close to 70% of these homicides occurred in western Canada (Statistics Canada, Canadian Centre for Justice Statistics, Homicide Survey, personal communication, May 6, 2014).¹ Although most interactions between sex workers and their clients tend to be non-violent in nature, research indicates that the majority of the violence against sex workers is committed by their clients. This paper provides an overview of the violence perpetrated by clients against street-level sex workers primarily focusing on British Columbia. By applying the situational crime prevention framework to this problem, this paper reveals the potential in addressing the opportunistic nature of the violence to reduce the risk of violence to street-level sex workers. This paper concludes with strategies to address the situational factors contributing to the violence that can be applied in both street and unsanctioned indoor venues by the broader community, indoor management, and sex workers.

Keywords: street-level sex workers; violence; violent clients; British Columbia; situational crime prevention

¹ Refer to Appendix C to view the table provided by e-mail by Statistics Canada.

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Chapter 1. Introduction

Recent high profile events in Canada such as the invalidation of three *Criminal Code* provisions relating to prostitution and the Missing Women Commission of Inquiry conducted for the province of British Columbia have brought to light the vulnerabilities and the high risk of violence to sex workers, particularly at the street level. From 1991 to 2012, 161 sex workers have been murdered as a result of their involvement in the sex trade, of which close to half (42.2%) have occurred in British Columbia (Statistics Canada, Canadian Centre for Justice Statistics, Homicide Survey, personal communication, May 6, 2014).^{1 2}

Although violent acts committed against sex workers are perpetrated by a minority of offenders (Lowman & Atchison, 2006; Monto, 2004), the majority of the violence perpetrated against sex workers is committed by their clients (Benoit & Millar, 2001; Childs et al., 2006; Raphael & Shapiro, 2004). From 1991 to 1995, 63 known sex workers were murdered in Canada, of which 50 were murdered by their clients (Duchesne, 1997). Violence against sex workers is not only a Canadian phenomenon, but has also been observed internationally, including the United States, United Kingdom, and Hong Kong (Brewer et al., 2006; Church, Henderson, Barnard, & Hart, 2001; Li, 2012)

The most recent exposure to the issue of violence against sex workers in Canada was the Supreme Court of Canada (SCC) ruling and the subsequent Bill C-36.³ On December 20, 2013, in the *Canada (Attorney General) v. Bedford* case, the SCC

¹ Refer to Appendix C to view the table provided by e-mail by Statistics Canada.

² This statistic only includes victims who were murdered because of their engagement in sex work and not random incidents or due to the victims' involvement in the drug trade or other illegal activities.

³ Refer to Appendix A for former *Criminal Code* provisions related to prostitution.

ruled three *Criminal Code* provisions relating to prostitution, specifically, s.210: “makes it an offence to keep or be in a bawdy-house”; s.212(1)(j): “prohibits living on the avails of prostitution”; and s.213(1)(c): “prohibits communicating in public for the purposes of prostitution” (Canada (Attorney General) v. Bedford, 2013, On Appeal from the Court of Appeal for Ontario, para. 3), to be infringing on the section 7 legal right as guaranteed in the *Canadian Charter of Rights and Freedoms (Charter)* (Canada (Attorney General) v. Bedford, 2013, para. 6). Section 7 of the *Charter* states: “Everyone has the right to life, liberty and security of the person and the right not to be deprived thereof except in accordance with the principles of fundamental justice” (*Canadian Charter of Rights and Freedoms*, 1982). It was argued these provisions put the individuals engaging in sex work at risk of violence because they prevented sex workers from “hiring security guards or “screening” potential clients” (Canada (Attorney General) v. Bedford, 2013, para. 6). The SCC stated that the invalid status of the three provisions will be suspended for one year following the decision, after which Parliament must draft new legislation or choose to do nothing (Canada (Attorney General) v. Bedford, 2013). However, less than a year later, Parliament introduced a new bill, Bill C-36: *The Protection of Communities and Exploited Persons Act*, which as of June 12, 2014 is currently going through second reading.⁴

This paper will focus on violence by clients against street-level sex workers in British Columbia (B.C.), primarily focusing on the Downtown Eastside (DTES) neighbourhood in Vancouver. There are two types of street-level sex work in Vancouver: high track and low track and the difference between the two is the cost for services (Childs et al., 2006). The DTES and “certain blocks along Kingsway” are identified as low track strolls and Seymour Street is identified as a high track stroll (Childs et al., 2006). The DTES neighbourhood is confronted by a number of challenges including “drug use, crime, homelessness, housing issues, unemployment, and loss of businesses...” (City of Vancouver, 2014a, Downtown Eastside Plan, para.3). In 2011, there were approximately 18,477 people living in the DTES (City of Vancouver, 2014b, p.11). The Downtown Eastside Local Area Plan reports that “more than half of the residents are poor, dependent on Income Assistance support, pensions, charitable and

⁴ Refer to Appendix B to view the summary for Bill C-36.

social services” (City of Vancouver, 2014b, p.11). Some of serial killer, Robert Pickton’s victims and other missing and murdered street-level sex workers were from this neighbourhood (R. v. Pickton, 2010 as cited in the Factum of the Respondents Downtown Eastside Sex Workers United Against Violence Society and Sheryl Kiselbach, para. 16).

Lowman (2011) identifies three “degrees of choice” present in prostitution in Canada (1. sexual slavery, 2. survival sex, and 3. opportunistic or bourgeois prostitution), the most prominent type of sex work in the DTES is survival sex (Lowman, 2011), which can be defined as engaging in sex work in exchange for necessities for survival, including basic needs and wants such as food, shelter, clothing, money, drugs and gifts (Chettiar, Shannon, Wood, Zhang, Kerr, 2010; Forro, 2013; Walls & Bell, 2011). Survival sex work is typically preceded by a number of adverse social issues (e.g. homelessness, violence, drug use, and HIV infection) (Shannon et al., 2007; Shannon et al., 2009) which are further heightened by the conditions prevalent in the DTES. These circumstances limit the options available to street-level sex workers to make ends meet (Childs et al., 2006). Research conducted in B.C. finds that sex workers experience a high rate of homelessness. In a cohort study conducted in Vancouver from 2006 to 2008, 87% of the women reported living on the street once in their life (Shannon et al., 2009). In Benoit and Millar’s (2001) study on current and former indoor and street-level sex workers in Victoria and the Capital Regional District, the authors found that sex workers currently engaging in sex work were less likely to have stable housing (e.g. no permanent address, homeless, living in shelters, moving frequently) than those who have exited the trade. Women involved in the street sex trade, particularly engaging in survival sex work are also at a greater risk of HIV contraction (Shannon, Bright, Gibson, & Tyndall, 2007). The research found that 52 out of the 198 (26%) women in the sample were HIV positive and Aboriginals were twice as likely to be HIV positive than non-Aboriginals. Aboriginals comprised 36 (32%) of the positive cases and non-Aboriginals comprised 16 (18%) of the positive cases (Shannon et al., 2007).

The B.C. context overall is important to examine because of the major events and investigations which have occurred in the province including the ongoing “Highway of Tears” investigations, the Robert Pickton case and the subsequent investigations into

the missing and murdered women, and the Missing Women Commission of Inquiry. The objective of this paper is to gain an understanding of the violence perpetrated by clients through the environmental perspective by applying the situational crime prevention framework to highlight potential strategies which could be implemented to empower sex workers and protect them against violence by clients. Situational crime prevention is based on rational choice theory and ultimately concerned with reducing the opportunities which contribute to crime by “increasing the effort”, “increasing the risks”, “reducing the rewards”, “removing excuses”, and “reducing or avoiding provocations” (Center for Problem-Oriented Policing, n.d.a, Situational Crime Prevention, para.1). Previous research conducted under the environmental criminology approach have primarily focused research efforts on the social harms caused by street sex work and ultimately working towards shifting sex workers out of neighbourhoods and the sex trade while minimizing displacement effects (Matthews, 1993). However, the current discussion will instead focus on the risk of violence to sex workers and argue in favour for a situational crime prevention approach to address this problem.

This paper was informed in part by my practicum with the Royal Canadian Mounted Police (RCMP), “E” Division, Provincial Prostitution Unit. I assisted the Unit in designing the framework for a provincial review of violent occurrences perpetrated by clients against sex workers in British Columbia and conducting the preliminary review⁵. The preliminary review highlighted the potential in addressing the situational factors as a possible solution to mitigate the risk of violence to street-level sex workers. This paper is organized as follows: first it provides an overview of relevant environmental criminology theories; second, it describes the dynamics of sex work and its organization; third, it examines the prevalence of violence committed against sex workers by clients; fourth, it outlines the possible determining factors for the violence, fifth, it discusses prevention and intervention strategies to curb the violence primarily focusing on changing and managing the environment; and finally, this paper concludes with applying the situational crime prevention framework to this problem to devise immediate possible solutions.

⁵ As time and resources permit, this provincial review will be continually updated by the RCMP “E” Division, Provincial Prostitution Unit.

Chapter 2. Environmental Criminology

The study of environmental criminology is focused on understanding crime events as “confluences of offenders, victims or criminal targets, and laws in specific settings at particular times and places” (Brantingham & Brantingham, 1991 as cited in Wortley & Mazerolle, 2008, p.1). The three premises of environmental criminology are: 1. “Criminal behaviour is significantly influenced by the nature of the immediate environment in which it occurs”; 2. “The distribution of crime in time and space is non-random”; 3. “Understanding the role of criminogenic environments and being aware of the way that crime is patterned are powerful weapons in the investigation, control and prevention of crime” (Wortley & Mazerolle, 2008, p.2). The current discussion will examine two theories within environmental criminology: rational choice theory and routine activity theory and how these approaches can provide a better understanding of sex work and its organization. Environmental criminology was chosen to examine sex work because of the obvious environmental factors and physical layouts contributing to the presence of street sex work in neighbourhoods and the associated problems (Felson & Clarke, 1998).

2.1. Rational Choice Theory

Rational choice theory was developed by Ronald Clarke and Derek Cornish in 1985 and examines the decision-making process offenders partake in prior to committing an offense (Clarke & Cornish, 1985). In particular, there are three choices present in the “various stages of criminal involvement”: 1). initial involvement, 2). continuance, and 3). desistance (Clarke & Cornish, 1985, p.164). The rational choice perspective works under the primary assumption that crime is committed for an intended purpose to benefit the offender (Felson & Clarke, 1998). In their decision-making process to commit crime, offenders are limited by time, effort, and "quality of the information available to them" (Felson & Clarke, 1998, p.7). The offender is perceived to

make a rational decision based on the costs and benefits of that decision (Felson & Clarke, 1998).

This theory can be applied to explain the decision-making process the clients of sex workers engage in to purchase sexual services and violence committed against sex workers. Holt, Blevins, and Kuhns (2009) found that clients' decision-making process to solicit sex workers was dependent upon perceived risk of "formal and informal sanctions" (p.276). Examples of the clients' "risk avoidance practices" included observing and monitoring prostitution strolls and sex workers for law enforcement presence, taking into consideration sex workers' "appearance and behaviors" when deciding either to purchase sex or avoid the area, and continuing to practice safe precautions during dates to protect against risk of violence by the sex worker or pimp (Holt et al., 2009, p.276). These "risk avoidance practices" also referred by the authors as "intelligence gathering strategies," support the rational choice perspective because the clients weigh the costs and benefits of soliciting a sex worker to avoid detection by the police and violence by sex workers and their pimps.

2.2. Routine Activity Theory

Routine activity theory is different from rational choice theory in that it explains crime from a macro perspective, while rational choice theory examines crime based on the micro perspective because of the individual offender's decision-process to commit crime (Felson & Clarke, 1998). Routine activity theory was developed by Cohen and Felson (1979). The theory proposes that the three elements required for the commission of a crime include: "(1) motivated offenders, (2) suitable targets, and (3) the absence of capable guardians against a violation" (Cohen & Felson, 1979, p.589). All three elements must coexist for the criminal event to occur (p.589). These three elements can be used to understand the high rate of violence against street-level sex workers. Street-level sex workers conduct their work without the presence of a capable guardian to screen violent clients and to intervene when transactions become violent.

2.3. The Opportunity Perspective and Sex Work

Rational choice and routine activity theories are classified as “opportunity theories of crime” (Felson & Clarke, 1998, p.v). Felson and Clarke (1998) argue that “opportunity” to be a cause of crime, following “personal and social factors” (p.iii). The interconnection of sex work and other offenses such as the involvement in the drug trade, and prevalence of violence within the trade can be attributed to the fifth principle of crime opportunity theory: “one crime produces opportunities for another” (Felson & Clarke, 1998, p.17). This occurs when new criminal opportunities arise from committing an offense. For example, once a sexual transaction has occurred, problems may arise regarding the payment for the sex worker’s services. If the client refuses to pay or if the client does not believe the previously agreed upon costs for service is reasonable for the service received may result in a physical altercation between the two (Felson & Clarke, 1998). Additionally, as this paper will discuss in more detail below, some sex workers engage in the trade to support a drug habit. These examples illustrate how criminal opportunities (minor or major) emerge as a result of engaging in sex work (Felson & Clarke, 1998).

Chapter 3. Sex Work

Sex work is defined as the “exchange of something of value, usually money or drugs, for the sexual use of a person’s body” (Monto & Julka, 2009, p.2) and occurs between the individual offering the service(s) (sex worker) and the individual paying for the service(s) (client) (Serughetti, 2013). Involvement in sex work is either voluntary or involuntary (coercion) (Forro, 2013). Although clients and sex workers can be women, men, and transgender people, sex work has been identified as a highly gendered activity in which the majority of clients are primarily male and the majority of sex workers are primarily female (Shaver, 1996 as cited in Cool, 2004).

Sex work occurs in many different types of settings including street-level and off-street venues. Off-street types of sex work and settings include: “independent call girls, as employees of escort agencies, or in brothels, bars, massage parlors, saunas, and tanning salons” (Weitzer, 2007, p.144). Street-level sex work, on the other hand, involves the public solicitation of clients and providing sexual services in various types of places including cars, alleys, hotels, motels, and private residences (Harcourt & Donovan, 2005, p.202; Weitzer, 2009, p.217). Street-level sex work is the most visible form of sex work but comprises less than 20% of the industry (Benoit & Millar, 2001, p.iii; Lowman, 2005; Lowman, 2011). In the metropolitan areas of Canada and the United States, the majority (70% to 80%) of sex work related activities occur in off-street venues (Campbell, 1991; Jackson & Highcrest, 1996; Bortich, 1997 as cited in Benoit & Millar, p.8).

Street-level sex work varies significantly from the other types of sex work occurring off the street. In Lowman’s (2011) report to the Missing Women Commission of Inquiry, street sex work in Vancouver was defined in the following manner:

Street prostitution: prostitutes meet their clients on the streets of a prostitution “stroll,” i.e. an area locally renowned as a place where

prostitutes wait for customers to approach them in a vehicle or on foot. Sexual services are usually provided in a “trick pad” (a place rented for the purpose of providing sexual services), in a local hotel that rents out rooms for half-hour periods, or in the client’s vehicle parked in a secluded location away from the stroll (p.11).

Apart from the physical settings in which sex workers conduct their work, there are major differences regarding how the work is conducted and the experiences of the sex workers in these different venues. In Weitzer’s (2009) comparison of indoor-level and street-level sex workers, street-level sex workers charge lower prices, have a higher chance of being exploited by third parties, and face a higher risk of victimization (p.217). Motives for entering the sex trade also vary. Referring back to Lowman’s (2011) “degrees of choice” identified earlier: sexual slavery, survival sex, and opportunistic or bourgeois prostitution. 1.) Sexual slavery occurs when an individual profits from an individuals’ involvement in sex work either through “force and/or deception”; 2.) survival sex is engaged in to meet basic survival needs and/or to support drug habit; and 3.) opportunistic or bourgeois prostitution is when an individual makes the active choice to engage in sex work because of the monetary benefits in comparison to potential earnings in other employment fields.

Previous research on prostitution primarily focused on sex workers; however, this has shifted towards an interest in the men who purchase their services (Monto & Julka, 2009; Serughetti, 2013). Individuals who obtain the services of sex workers are identified as “one-time ‘Johns’, regulars, sugar daddies, boyfriends who double as pimps, men who exchange drugs for sex and club managers and security personnel” (Orchard et al., 2012, p.353). There have been many approaches taken by researchers to recruit participants in order to gather feasible samples of clients including self-administered surveys (Atchison, 2010), mail-back questionnaires (Lowman & Atchison, 2006), phone interviews (McKeganey & Barnard, 1996), data on clients arrested for patronizing sex workers (Brewer, Muth, & Potterat, 2008); and visiting prostitution strolls (McKeganey & Barnard, 1996). Research conducted on sex work clients propose to understand what motivates men to purchase sexual services and what distinguishes men who buy sex from those who do not. Monto and McRee (2005) identify two perspectives prominent in the literature on clients: “every man perspective” and the “peculiar man perspective” (p.506). The “every man perspective”, as the name denotes, argues there is no

difference between men who purchase sex and men who do not, while the “peculiar man perspective” argues that there is an inherent difference.

One of the key debates within the literature is how sex work should be examined. Some academics perceive sex work as a form of violence against women (Farley, 2004) or purely male dominance (Dworkin, 1992), while others argue that it should be studied as form of legitimate work (Weitzer, 2007). Regardless of which lens sex work is studied through, it is indisputable that those who engage in sex work are at high risk of violence during their involvement in sex work, particularly at the street level (Cler-Cunningham & Christensen, 2001; Krüsi et al., 2012; Lowman & Fraser, 1996), which will be the focus of the current discussion.

Chapter 4. Assessing the Problem and its Magnitude

Sex workers who conduct their work on the street are at a disproportionately higher risk of victimization in comparison to their indoor counterparts. The majority (63%) of the participants in O'Doherty's (2007) study on indoor sex workers in Vancouver and Greater Vancouver, reported not having been a victim of violence during their engagement in sex work. In O'Doherty's (2011) comparison of female indoor sex workers (working as escorts, out of massage parlours, and out of their homes) to Cler-Cunningham and Christensen's (2001) study conducted on street-level sex workers, the author found that indoor sex workers "reported one half to a one third of the victimization than the participants in the Cler-Cunningham and Christensen sample reported" (p.956). Similarly, other research studies also find that reports of violence dramatically differ when examining street-level sex work. In Shannon, et al's., (2007) study on 198 survival sex workers in Vancouver, 25% of the participants reported not having been abused by a client in the six months preceding the study. Similarly, in a survey conducted on street-level sex workers in the DTES in 1993, 77% of the women reported having been a victim of violence in the six months preceding the study (perpetrated by "customers, boyfriends-partners, and other sex trade workers") while engaging in the trade. The majority of these women were sexually assaulted (62%) and the average number of violent incidents per person was seven (Lowman & Fraser, 1996, p.60). However, almost all (98%) had been assaulted by a client at least once over the course of their time in sex work (Lowman & Fraser, 1996).

Research also shows that violence is a frequent reality for street-level sex workers. In Cler-Cunningham and Christensen's (2001) study, the authors found that 33.1% of the respondents had almost been murdered during their engagement in sex work. The majority (63.8%) of the attempted murders had been perpetrated by their clients. This is alarming considering that indoor-level sex workers comprise the majority

of the sex trade (70% to 80%) (Campbell, 1991; Jackson & Highcrest, 1996; Bortich, 1997 as cited in Benoit & Millar, p.8), while street-level sex workers only comprises approximately 20% of the industry (Benoit & Millar, 2001, p.iii; Lowman, 2005; Lowman, 2011). The circumstances of street sex work make it a risky form of sex work. For example, they solicit clients in isolated areas (Allinott et al., 2004), provide sexual services to strangers (Barnard, 1993), and are sometimes driven to unknown areas to service the clients (Comack & Seshia, 2010).

The types of violent crimes committed against sex workers vary. However, assaults and sexual assaults are quite common. The Vancouver Police Department (VPD) Counter Exploitation Unit (formerly known as Vice Unit) files indicated that 73.8% of the cases involved assaulting or sexually assaulting a sex worker (Lowman & Fraser, 1996). Comack and Seshia's (2010) analysis of bad date sheets found four types of violence: "verbal, physical, sexual, and economic" (p.207). The majority of the violence was physical (74%) and the second prevalent form of violence was sexual (58%). Due to the overlap between the sex trade and drug trade in B.C., many of the individuals engaging in sex work generate income from the drug trade as well (Cler-Cunningham & Christensen, 2001; Small et al., 2013) and are therefore susceptible to the violence pertinent to the drug trade.

4.1. Clients as the Perpetrators of the Violence

The individuals who perpetrate the violence against sex workers are found to be mostly male (Comack & Seshia, 2010). Studies also report a large percentage of clients as the perpetrators of the violence. In Lowman and Fraser's (1996) analysis of the VPD Counter Exploitation Unit's files of offences committed against sex workers from 1992 to 1993, 96.5% of the violence was perpetrated by clients. However, the majority of interactions between sex workers and their clients are non-violent in nature therefore affirming that violence by clients inflicted on sex workers is perpetrated by a small number of offenders (Lowman, 2011; Lowman & Atchison, 2006).

Lowman (2000) identifies two types of violence perpetrated by clients: 1. situational and 2. predatory. Situational violence is described as unpremeditated

violence. This form of violence is perpetrated by the client against the sex worker as a result of a disagreement during the transaction. Reasons for the dispute may include “services performed, price paid, an alleged rip-off” (Lowman, 2000, p.1004). Lowman (2000) provides the following example between a taxi driver from Victoria “M” who stabbed the victim “P” 32 times and slit her throat. This example illustrates how an otherwise “normal” transaction between a sex worker and client can become violent:

Court was told M. fantasied about a pure, eternal heterosexual romance. He idealized women but despised them when he felt rejected. On Dec. 8, 1993 he picked up P. and paid her \$50 for sex. When P. tried to leave before M. had finished the sex act, he exploded into anger, and the pent-up hatred he had of women poured out. (Canadian Press, 1994 as cited in Lowman, 2000, p. 1005.).

The second type of violence, predatory violence, also referred to as misogynist, is when the individual seeks out sex worker targets with the motive to harm them. They are not clients but instead “posing as clients” because they are motivated to follow through with their planned attack and actively seek sex workers as the targets (Lowman, 2000, p.1005). The following is an example of predatory violence taken from Comack and Seshia’s (2010) analysis of bad date reports in Winnipeg:

[A] girl was picked up . . . at [location] by a large white male, 45–50 years old, weighing 250–300 lbs., short grey hair, wearing thin silver framed glasses. He was driving a light blue 2-door “Chevy Tracker” style of vehicle with no plates. He wanted a blow job, but when the girl got in the car he locked the doors and started driving out far. She tried to get away and he grabbed her by the hair and was punching her in the face and broke her nose. She managed to jump out of the moving car at [location], and called a friend to take her to the hospital. (p.208)

The violent incidents are usually committed by a single perpetrator. Some studies note incidences of co-offending, but these cases are rare. The VPD Counter Exploitation Unit files indicate 89.5% of the perpetrators had acted alone, two offenders were involved in 7% of the cases, and three and five offenders were involved in 1.8% of the cases, respectively. Similarly, Comack and Seshia (2010) found that in Winnipeg, the majority (91%) of the “bad date violence” was perpetrated by single offenders. The VPD Counter Exploitation Unit files only noted three repeat offenders, however, as noted by the authors, this number may be lower than what it actually is (Lowman & Fraser, 1996).

Sex workers may not be able to recall the clients they have serviced for a number of reasons: the average number of days street sex workers work is five days a week and 4.3 hours a day (Cler-Cunningham & Christensen, 2001). Throughout their day, they may service a number of clients and they may not keep track of the number or the men they service. Additionally, dependency on drugs and alcohol may impair their ability to remember such details.

Although Lowman (2000) identifies two types of violence (situational and predatory), it is difficult to determine how and why sex workers are chosen as targets. Lowman (2000) suggests that violence against sex workers should be understood as part of the continuum of violence against women, noting two high-profile cases in B.C. involving victimized women (non-sex workers) who had been murdered by men who had criminal histories of assaulting sex workers. The offender convicted in 1989 for murdering a female jogger in Saanich had also been previously charged and later convicted for assaulting two sex workers. Similarly, the primary suspect, Fernand Auger, for the 1995 abduction and murder of a female tanning salon employee, also had a criminal history of assaulting sex workers (Bell & Munro, 1995 as cited in Lowman, 2000).

Lowman (2000) also notes that violent men may rationalize assaulting sex workers versus non-sex working women because of their marginal status. This was similarly echoed by Bowen's (2006) respondents. One respondent explained: "They pick up working girls because we're lower class. Otherwise they'd do this to their wives." Gary Ridgway, the American serial killer known as the "Green River Killer", who murdered 48 women in the United States (Salfati, James, & Ferguson, 2008), also noted he targeted prostitutes because of their marginal status and anonymity:

I picked prostitutes as my victims because I hate most prostitutes and did not want to pay them for sex. I also picked prostitutes as victims because they were easy to pick up without being noticed. I knew they would not be reported missing. I picked prostitutes because I thought I could kill as many of them as I wanted without getting caught (Fox, 2011, Why killers target prostitutes, para.7).

Predatory clients versus non-predatory clients are not easily detectable. For example, Robert Pickton was not known as a 'bad date' in the DTES. He was known to

offer sex workers drugs, a place to sleep, money, and with job opportunities at his farm despite no sexual transactions. There are three notable examples of him approaching sex workers but expecting nothing in return which were revealed during his trial. One sex worker, who was introduced to Pickton by his friend, was picked up from the DTES to do laundry for him. During her one night visit she did not have sex with him or do laundry and the next day was dropped off at a bus station and provided with \$70 and an offer to return. Another woman, also introduced to Pickton by the same friend, revealed two incidents when Pickton gave her money to purchase drugs. She eventually agreed to visit his trailer, however no sexual transactions occurred during her visit. The woman recalled Pickton telling her that “we didn't have to do anything” (Culbert, 2007, The accused killer, para.13). The following day she was paid and driven back to the DTES. The third example is of a woman who declined Pickton’s requests for dates twice and still received money from Pickton each time. The first time the woman declined a date with Pickton was after observing a rope and a stiletto shoe in his car (Culbert, 2007). During Pickton’s trial, he was described by defense lawyer Ritchie as having “no criminal record, no history of violence and has been hard-working his entire life” (Canada.com, 2008, Life sentence without parole for 25 years, para.33).

4.2. Sex Worker Homicides in Canada

Since 1997, the Homicide Survey, completed by all police agencies across Canada, has collected information on the victims’ occupations (legal or illegal) in order to determine whether their occupations led to their homicide (Boyce & Cotter, 2013). Statistics Canada provided a table free of charge regarding how many sex workers were murdered across Canada as a result of their engagement in sex work from 1991 to 2012.⁶ Data preceding 1997 was available through “special ad-hoc projects” which examined incidents relating to prostitution to determine whether the victims were murdered because of their engagement in sex work (Statistics Canada, personal communication through e-mail, May 6, 2014).

⁶ Refer to Appendix C to view the table provided by e-mail by Statistics Canada.

The Homicide Survey determines homicides as a result of profession by examining whether the victim was murdered “partly or entirely” because of their profession (Dauvergne, 2004). Table 4.1. below shows the number of homicides of sex workers in Canada and B.C. As the table clearly illustrates, homicides of sex workers are over-represented in B.C. The over-representation of sex worker homicides in B.C. may be attributed to Robert Pickton’s murder victims. Although Robert Pickton was convicted of second-degree murder of six women in December, 2007 (The Globe and Mail, 2012), there was DNA found on his farm in Port Coquitlam belonging to 33 women (Oppal, 2012). Statistics Canada (2010) notes that “as a result of investigations in Port Coquitlam, B.C., there were 5 homicides reported in 2007, 5 reported in 2004, 7 reported in 2003 and 15 included in 2002 that occurred in previous years” (p.16).⁷

However, it is important to note that Table 4.1. does not present the entire picture because sex workers who may have been murdered at random, murdered due to their involvement in the drug trade or other illegal activities, or murdered for reasons other than their involvement in the sex trade are not included. The number of sex worker homicides are also not a reflection of the number of sex workers actually murdered in the specified years. Instead, the numbers of homicides per year reflects the year police agencies across Canada reported the homicide through the completion of the Homicide Survey submitted to Statistics Canada (Perreault, 2012).

⁷ This totals to 32 victims and therefore does not include the 33rd victim who to this day remains a “Jane Doe”.

Table 4.1. Homicides against sex workers as a result of their profession in British Columbia and Canada, 1991 to 2012

Year	Number of homicides in British Columbia ^{8 9}	Number of homicides in Canada ^{8 9}	Percentage of population in Canada that lives in B.C.	Percentage of homicides in B.C.
1991	3	12	12	25
1992	1	3	12	33
1993	4	9	12	44
1994	5	15	13	33
1995	5	8	13	63
1996	1	10	13	10
1997	1	5	13	20
1998	3	7	13	43
1999	0	3	13	0
2000	0	1	13	0
2001	0	1	13	0
2002	16	18	13	89
2003	7	12	13	58
2004	6	11	13	55
2005	0	4	13	0
2006	0	5	13	0
2007	8	15	13	53
2008	0	3	13	0
2009	3	4	13	75
2010	2	5	13	40
2011	2	5	13	40
2012	1	5	13	20

From 1991 to 2012, a total of 161 sex workers were murdered because of their engagement in sex work. Murders of sex workers are higher in the western part of the country than it is for the northern or eastern parts. Homicides in general tend to be

⁸ “As a result of ongoing investigations in Port Coquitlam, B.C., there were 5 homicides reported in 2007, 5 reported in 2004, 7 reported in 2003 and 15 included in 2002 that occurred in previous years. Homicides are counted according to the year in which police submit the Homicide Survey to Statistics Canada” (Statistics Canada, Canadian Centre for Justice Statistics, Homicide Survey, personal communication through e-mail, May 6, 2014).

⁹ Source: Statistics Canada, Canadian Centre for Justice Statistics, Homicide Survey, personal communication through e-mail, May 6, 2014.

higher in Western Canada (Boyce & Cotter, 2013). The DNA for 32 out of the 33 victims found on Pickton's farm accounts for 19.9% of all the homicides of sex workers in Canada from 1991 to 2012 as a result of their engagement in sex work. For the four years (2002, 2003, 2004, 2007) in which the victims on Pickton's farm were reported in the Homicide Survey, the victim's accounted for all or close to all of the victims for the respective years. The highest number of victims per year was 18 reported in 2002, out of which 16 victims' DNA was found on Pickton's farm. 2007 is the last year to include victims' DNA found on Pickton's farm and the following years indicate a declining trend in B.C. The number of murdered sex workers (5) has remained relatively stable from 2010 to 2012 (Statistics Canada, Canadian Centre for Justice Statistics, Homicide Survey, personal communication through e-mail, May 6, 2014).¹⁰

In response to the high number of missing and murdered vulnerable individuals, three police projects were developed to curtail the violence in these regions against this vulnerable population. In the Prairies these include Project KARE in Alberta and Project Devote in Manitoba, and in B.C., Project E-PANA. Project KARE is now a permanent unit within RCMP "K" Division (Project KARE, 2014a) and is mandated to reduce the risk of murder of High Risk Missing Persons in Alberta (Project KARE, 2014b). Project Devote is the result of a collaboration between the RCMP and the Winnipeg Police Service and primarily investigates "unsolved homicides and missing person cases, where foul play is suspected, involving exploited and at risk person" (Royal Canadian Mounted Police, 2011, Next Phase for Manitoba Integrated Task Force for Missing and Murdered Women, para. 4). Project E-PANA was developed by RCMP "E" Division as a result of murdered females who were either travelling or their deceased bodies were found along three highways in B.C.: Highway 16, Highway 97 and Highway 5. One of the inclusion criterion for cases investigated by Project E-PANA includes victims who were "involved in hitchhiking or other high risk behaviour" (Royal Canadian Mounted Police, 2012, Project E-PANA, para. 5).

Table 4.1. does not differentiate between the types of sex work the victims were engaging in. The literature indicates that street-level sex workers face a

¹⁰ Refer to Appendix C to view the table provided by e-mail by Statistics Canada

disproportionately higher risk of victimization in comparison to other types of sex work (Weitzer, 2009), so it would be interesting to know what proportions of the victims were engaging in street-level sex work and indoor-level sex work. Because street sex work is characterized as “transient” and “opportunistic” (Harcourt, Beek, Heslop, McMahon, & Donovan, 2001, p.85), a current assessment of the total number of individuals in Canada engaging in street-level sex work is not known in order to determine their over-representation in homicide statistics. However, it is estimated that sex workers are 60 to 120 times more at risk in comparison to the general female population (Deputy Chief Constable Doug Lepard of VPD as cited in Oppal, 2012; Lowman & Fraser, 1994 as cited in Salfati, James, & Ferguson, 2008).¹¹

¹¹ Information on where or how this statistic was generated could not be found.

Chapter 5. Causes and Determinants

Although the research affirms that street-level sex work is riskier than indoor-level sex work (O'Doherty, 2007; Weitzer, 2009), it is important to note that indoor-level sex work is confronted with its own unique issues such as the citizenship status of workers and its subsequent impact on reporting violence. For instance, a report by a local organization in BC, the Pivot Legal Society, brought to light the fact that many immigrant sex workers conduct their work in massage parlours and are highly unlikely to report unjust treatment and violence to the police because of their illegal immigrant status (Childs et al., 2006). This is not implying that conducting sex work in indoor venues is not safer than street-level sex work, the research clearly suggests it is, however it is important to note that violence is a reality for sex workers, however the severity and frequency of the violence differs greatly between the levels. There are major differences between indoor and street-level sex work including involvement in the drug trade and availability (or lack of) of guardianship which are argued to contribute to the disproportionate rates of violence among sex workers.

5.1. Sex Work and the Drug Trade

The drug and sex trades overlap in British Columbia. In an analysis of murders occurring from 1975 to 1993 of individuals engaging in sex work included in the RCMP's Major Crime Recording System (MACROS) (now replaced with the Violent Crime Linkage Analysis System, ViCLAS), 96.5% of the victims were alcohol and drug dependent (Lowman & Fraser, 1996). In Small et al's (2013) study in the DTES, some sex workers noted that income generated from sex work was used to purchase drugs:

I go out to work [sex trade] . . . I stay on the corner until I make enough money or do enough dates so that I can pick up a half ball [1.75 grams]. . . I go home and I cut it up into ten little rocks and sell it to the girls in my building (p.482).

To illustrate DTES sex workers' desperation for money and drugs, the women working in the neighbourhood charge the lowest prices for street-level sex work with prices ranging from less than or \$20 to \$80 (Lowman, 2000). The Richards-Seymour stroll is referred to as "high-track" (Lowman, 2000). This stroll differs greatly from the DTES stroll because the majority of the women work for pimps and charge much higher prices for their services in comparison to women in the DTES. It is estimated that "high track" sex workers charge approximately \$100 to \$200 for their services (Lowman, 2000).

Cler-Cunningham and Christensen's (2001) study on sex workers in Vancouver and Greater Vancouver found that more than half (58.1%) of the respondents were engaging in sex work to purchase drugs. Participation in the drug trade has also been found to provide the women with an alternative to sex work in order to generate some income, although they often had to resort back to sex work in order to purchase drugs (Small et al., 2013). Women in this study engaging in sex work also admitted to "middling" for their clients which is a term used to describe the women purchasing drugs (with the clients' money) for the client (Small et al., 2013, p.482). In these circumstances, the transactions for the sexual services were made in "half cash and half drugs" (Small et al., 2013, p.482). Another Vancouver study found that close to half (49%) of crack smoking sex workers took part in "sex-for-crack exchanges" (Duff et al., 2013, p. 4). Research also indicates a relationship between sex work and drug use patterns. In Lowman and Fraser's (1996) report including the findings of a 1993 survey conducted on street-level sex workers in the DTES, the authors noted that:

Of the 84% of respondents who said that their drug use changed when they were working, 96% said that their use increased while they were working, and of these, 80% said that they used more in order to work, the other 20% reasoning that they used more when they worked the street because working provided the money to buy drugs (p.62).

This is better understood in the context of the frequency and cost of their drug use: 72% of the women reported using drugs 151 to 600 times in one month and the estimated costs of drug use per day ranged from \$100 to \$500 for 67% of the women (Lowman & Fraser, 1996). Close to 80% of the respondents in Cler-Cunningham and Christensen's (2001) study had to make more than \$100 per day to support their drug

habit. The study also found that on average, 31.8% of the participants worked nine or more hours. The most common reason provided by women for drug use further supports the fact that drug use and sex work in the DTES are related. For example, almost all (93%) of the respondents in Lowman and Fraser's (1996) study used drugs to "escape reality, emotional pain and/or to forget about work" in contrast to only 4% who used drugs to "forget about the past" (p.62).

Understanding street-level sex work and drug dependency is important because addiction may impact sex workers' ability to properly screen men posing as clients (Lowman, 2000). Additionally, sex workers involved in the drug trade are at risk of violence pertinent to the drug trade in addition to the sex trade. Prevention and intervention programs which address the sex workers' drug dependency may have promising results. DeBeck et al.'s (2007) analysis of dealing injection drug users in the DTES, found that if reliance on street drugs was eliminated, involvement in the drug trade would cease for the majority of the respondents (as cited in Small et al., 2007).

5.2. Guardianship

One of the major differences between street-level sex workers and indoor sex workers is the accessibility and availability of security. In contrast to street-level sex workers, indoor sex workers have access to various forms of guardianship such as receptionists, security cameras, and security guards to screen potentially violent and suspicious clients upon entry into the premises. Screening is an important precaution sex workers take to protect themselves from violent, predatory clients. Barnard (1993) found that sex workers in Glasgow, Scotland used two factors prior to agreeing to transactions with clients: 1. "knowledge of the client" and 2. "the amount of time available to make such decisions" (p.692). Therefore, proper screening policies should be put in place to determine "good" and "bad" clients for sex workers.

These types of strategies could include only allowing access to previous clients or determining characteristics of violent clients. In addition to screening for violent clients, these guardians are also in a position to intervene when clients become violent towards sex workers. Street-level sex workers conducting their work without these

supports do not have access to the same type and extent of security. The closest form of guardianship available to street-level sex workers are pimps. However, in contrast to the stereotypical image of a woman being “pimped”, the majority of the women in the Vancouver area work independently. Cler-Cunningham and Christensen (2001) found that 82.7% of Vancouver and Greater Vancouver street-level sex workers did not work for a pimp. However Lowman (2000) noted that proceeds from sex work (e.g. money and drugs) are often shared with sex workers’ boyfriends. However, these “boyfriends” do not fulfil the same duties as pimps. There are marked differences in victimization rates among the “low track” and “high track” strolls in Vancouver and which can be attributed to the presence of pimps. The DTES is recognized as a “low track” stroll and Seymour Street is recognized as “high track” (Childs et al., 2006). The sex workers working on Seymour Street stroll work under the control of a pimp (Lowman, 2000). Lowman (2000) describes below how the “pimp subculture” protects these women from the high rate of violence experienced by women in the DTES and how they could be considered as a form of guardianship for sex workers:

The pimp “street proofs” his women by schooling them in certain values and attitudes. The women often work together and take car license plates for each other. Because the stroll area is fairly small, when a client picks up a woman, it is usually in full view of other women, and many of the dates occur in local hotels rather than cars. (p.994).

However, this does not mean that sex workers who work under the control of a pimp do not experience violence. The guardianship role the pimp plays in protecting sex workers can also be reversed to the offender role in some instances. The respondents in Childs et al.’s (2006) study noted that control was maintained through “violence and abuse” (p.19). In Lowman and Fraser’s (1996) analysis of VPD Counter Exploitation Unit’s files of offences reported by sex workers from 1992 to 1993, 3.5% of the violence was perpetrated by pimps. However, the authors note that pimps sometimes act as clients to recruit sex workers (Lowman & Fraser, 1996). Therefore, this statistic does not provide an accurate depiction of violence by pimps because they may assault sex workers during their sexual transactions, or because of the sex workers’ financial dependency on the pimp (Childs et al., 2006), they may not report the violence to the police.

Pimps are not the only source of guardianship for street sex workers. Street-level sex workers in Glasgow, Scotland have male “minders” looking out for them who are usually their husbands or boyfriends. The minders look out for the sex workers by accompanying them during their interactions with clients and “[keeping] hold of the money”, or sex workers may take their clients back to their home so that their male partner can intervene if interactions become violent (Barnard, 1993, p.699). Although these minders protect sex workers from physical violent attacks from clients and robbery, police in Glasgow do not encourage the use of minders because the high number of men in the red light district can cause tension (Barnard, 1993).

Guardianship can also come in the form of other sex workers. Bowen’s (2006) respondents were asked for their input on preventative measures and recommended implementing a buddy system in which sex workers look out for each other by noting down license plate numbers. However, a report by the Pivot Legal Society finds that although sex workers acknowledge the benefits in looking out for each other, at the same time “they also [place] a high value on their independence and autonomy” and are unwilling “to sacrifice these values” (Childs et al., 2006, p.19).

The police are also another source of guardianship available to street-level sex workers. However, research finds that the relationship between police officers and sex workers is strained and that sex workers do not trust the police (Lowman & Fraser, 1996). Sex workers believe that because of the criminal nature of their work, their reports of violence will not be taken seriously by the police (Childs et al., 2006). The respondents in the Pivot Legal Society research who had reported violent incidents to the police expressed their dissatisfaction with the outcome of their reports. However, when violent incidents do come to the attention of the police there are a number of obstacles making these cases very difficult to investigate, especially when it comes to homicides (Lowman & Fraser, 1996). Factors which makes these incidents difficult to investigate include: “anonymity of the suspect and victim” and unreliability of witnesses who are usually “street-involved people” themselves (Lowman & Fraser, 1996, p. 46). Incidents regarding stranger perpetrated violence are also difficult to solve (Duchesne, 1997). Statistics Canada further finds that it is quite common for homicides regarding illegal activity to go unsolved (Dauvergne & Li, 2006).

Chapter 6. Prevention and Intervention Strategies

6.1. Indoor and Outdoor Sex Work Environments

The risk of violence by clients differs greatly for indoor-level and street-level sex workers. This leads to the questions: if indoor sex work is a viable and safer option, then why do some individuals conduct their work on the street? What prevents them from transferring from street-level to indoor-level sex work? And what contributes to a downward transfer? Research indicates that mobility more often occurs laterally with sex workers shifting between different types of sex work rather than the level of sex work (Weitzer, 2009, p.222). Because there is such great disparity in the lifestyles of different levels of sex work, there is not much mobility upwards or downwards. In fact, sex workers are likely to continue in the same level of sex work for the entire course of their involvement in the sex trade (Heyl, 1979 as cited in Weitzer, 2009, p.222). However, when mobility does occur, it is more likely for indoor-level sex workers to move downwards to street-level sex work due to changes in their physical and mental state that may impact their work in indoor-level work such as aging or drug addiction, than it is for street-level sex workers to move upwards to indoor-level work. Weitzer (2009) argues this is because “most street workers lack the education and social skills associated with upscale work” (p.222).

In a study conducted on the sex trade in London, Ontario, 17 out of the 19 women (90%) had transferred between the two levels during their engagement in the industry while the remaining two only worked on the street-level (Orchard, Farr, Macphail, Wender, & Young, 2012, p.357). The majority of the 17 women (53%) moved downward from indoor-level to street-level. Types of sex work in which these women engaged in prior to transferring to street-level included: “stripping/dancing”, “massage/escorts”, and “private/sugar daddy transactions” (p.357). Reasons provided for the downward transfer included situations affecting the women’s mental and

emotional states such as drug addiction, losing custody of children, weak relationships, and limited access to support services. Women who were forced into the sex trade or who engaged in sex work to survive, were found to primarily work at the street-level over the course of their engagement in sex work (p.357).

The lack of upward mobility was also observed in O'Doherty's (2007) sample of 39 indoor sex workers from Vancouver, in which only five women reported to have started work at the street-level. When street-level sex workers move upward to indoor-level work, research suggests it is usually with the assistance of a social support agency to help them overcome their drug addictions, homelessness, and other social issues that may conflict with the rules of indoor agencies (Sanders & Campbell, 2007, p.14; Sanders, O'Neil, & Pitcher, 2009, p. 41). The lifestyle of street-level sex work differs greatly to indoor-level work that requires a routine and set hours in which the sex workers must work. Examples of rules that may be upheld in some indoor establishments that some street-level sex workers may not be able to abide by include zero tolerance for unpunctuality and drunkenness (May, Harocopos, Hough, 2000 as cited in Sanders, O'Neil, & Pitcher, 2009, p.26). Sex workers in the DTES do not experience mobility and primarily work at the street level (Lowman, 2011). In Cler-Cunningham and Christensen's (2001) study on 183 street-level sex workers in Vancouver and Greater Vancouver, only 18.2% reported to have started in the sex trade in an off-street venue while the majority (64.1%) started at the street-level. The remaining 17.7% started as spotters which is a term used to describe individuals responsible for noting "license plate numbers of the cars the women leave in and/or intervene in dangerous situations" (p.31).

These findings suggest that street-level sex workers are prohibited from working in safer indoor environments because of the social conditions that keep them from transferring to higher-end sex work. However, a recent study conducted in B.C. on "unsanctioned indoor sex work environments" specifically designed for street-level sex workers suggests otherwise. Krüsi et al.'s (2012) study focused on two unsanctioned programs in B.C. based on the "Unsanctioned Safer Sex Work Environment Model". Almost all (90%) of the participants were crack cocaine users and 39% injected heroin.

The respondents cited a number of environmental-structural supports available to them in the housing programs in contrast to other types of environments which provided them with an enhanced sense of safety and security not attainable on the streets such as immediate access to bad date reports and the presence of surveillance cameras (Krüsi et al., 2012). The study also noted incidents of staff calling the police upon recognition of violent clients included in the bad date reports. Previous research findings indicate that anonymity and privacy surrounding sex work make investigations of homicides (or violent incidents in general) difficult to solve (Duchesne, 1997; Lowman & Fraser, 1996), however this factor is resolved by these housing programs because of the installment of surveillance cameras within the buildings (Krüsi et al., 2012). Such security measures make it more difficult for clients to remain anonymous as one respondent put it:

I prefer the date in my place for safety reasons, you know. 'Cause there's cameras on each floor, they're not allowed in unless they have ID, their name is written down, and, people have seen you with the guy, so he knows that he can't go and try to do something to me and get away with it. (Krüsi et al., 2012, p.1156).

In contrast to research suggesting negative relations with police (Benoit & Millar, 2001; O'Doherty, 2007), residents of these housing programs suggested otherwise. In fact, one respondent recognized the changing relations with police officers and appreciated their concerns for their wellbeing: "police just stop me, and then sometimes they ask if I'm okay or if I've had dates with assholes or jerks lately. They used to hassle us a long time ago; it's changed" (Krüsi et al., 2012, p.1156). The indoor housing arrangement also facilitated with establishing informal controls within the residences such as information sharing, looking out for each other, and implementing self-defence strategies (Krüsi et al., 2012). The respondents noted that these types of informal controls are difficult to implement on the street because of the presence of drugs and other factors distinctive to street-level sex work (Krüsi et al., 2012). The respondents also acknowledged that the indoor housing programs enabled them to establish and maintain control during transactions with clients. Access to "support from staff, other sex workers, or police" also provided these women with the assurance to refuse services and prevent clients from demanding services that the sex workers were uncomfortable with performing (Krüsi et al., 2012, p.1157). Other research also suggests that

establishing control during transactions with clients has been identified as a significant factor in ensuring the safety of sex workers and guarding against violence (McKeganey & Barnard, 1996).

6.2. Outdoor Environment

Although the aforementioned Unsanctioned Safer Sex Work Environment Model is a promising approach to curtail the disproportionate rates of violence against street-level sex workers, not all street-level sex workers will have the opportunity or “choose” to work out of these unsanctioned environments. For example, respondents in a Pivot Legal Society report stated that street-level sex work is inevitable “because of its anonymity and convenience for some workers” (Childs, 2006, p.19). Therefore, to ensure their safety and needs, social support systems need to target the areas in which they work. The Mobile Access Project (MAP) does just that by providing sex workers in the DTES with “first-aid supplies, condoms, clean needles, and information about community social services” (Janssen, Gibson, Bowen, Spittal, & Petersen, 2009, p.805). The MAP van targets strolls in Vancouver from 10:30 p.m. to 5:30 a.m. every night. Almost all (over 90%) of the participants in Janssen et al.’s (2009) study stated that the MAP van enhanced their sense of security while working.

Chapter 7. Discussion

7.1. Situational Crime Prevention Framework

As the review of the literature illustrates, the violence perpetrated against clients can be best described as opportunistic. Strategies focusing on addressing the opportunistic nature of the violence and manipulating environments to curb the violence must tailor strategies according to outdoor or street-level sex work. Although not applied extensively, there is research available examining the influence of situational crime prevention (SCP) techniques on protecting sex workers against violence (Li, 2012; Sanders & Campbell, 2007). SCP “seeks to reduce opportunities for specific categories of crime by increasing the associated risks and difficulties and reducing the reward” (Clarke, 1995, p.91). Opportunities for criminal activity can be reduced through five methods:

- Increasing the effort the offender must make to carry out the crime.
- Increasing the risks the offender must face in completing the crime.
- Reducing the rewards or benefits the offender expects to obtain from the crime.
- Removing excuses that offenders may use to “rationalize” or justify their actions.
- Reducing or avoiding provocations that may tempt or incite offenders into criminal acts.

(Center for Problem-Oriented Policing, n.d.a, Situational Crime Prevention, para.1).

Each of the five methods correspond with five techniques each totaling 25 techniques (Center for Problem-Oriented Policing, n.d.a).¹² Opportunity theory and rational choice theory provide the basis for SCP (Center for Problem-Oriented Policing, n.d.a).

Li's (2012) study examined the nature of violence against sex workers in Hong Kong and proposed applying three of the five above noted SCP methods: 1. "reduce provocation": Li's (2012) study found that violence did not ensue immediately upon the meeting and instead arose as a result of the situation which is identified as situational violence (Lowman, 2000). Li (2012) recommends sex workers adopt skills to be able to read and assess the clients' emotions. Sex workers should also acquire effective communication skills which will assist in calming down angry and frustrated customers. These could include: "using humour, speaking in a gentle voice, and showing care and concern, during the transaction" (p.624). 2. "Increase the risks": Li (2012) found that violence by clients was patterned and therefore recommends continuously profiling cases involving violence by clients so that police resources can be efficiently deployed in hot spots and heightened during specific months and times. Li (2012) further recommends the installation of panic buttons and CCTVs in brothels. 3. "Reduce the reward": Li's (2012) analysis of police files indicated that the sex workers' personal items (e.g. money, credit cards, jewellery, and cell phones) were likely to be stolen by clients when the victim was in the shower after the transaction. It is recommended that one of the SCP techniques for this method, "removing the target" should be employed.

Sanders and Campbell (2007) outline three strategies indoor female sex workers use to protect themselves: "managing the environment; individual protection mechanisms and collective control" (p.10). "Managing the environment" includes "physical safety strategies" such as the installation of security cameras (Sanders & Campbell, 2007, p.10). As the authors acknowledge, there is a great difference between how these measures can be implemented on the street and indoors and it is the availability of these measures which contribute to the sense of security for sex workers. "Individual protection mechanisms" refer to "rules of engagement" that sex workers adhere to ensure their safety by "reducing the rewards" such as "not wearing jewellery"

¹² See <http://www.popcenter.org/25techniques/> for the 25 techniques of Situational Crime Prevention

and “limiting sexual contact and sexual positions” and “increase the risks” by “keeping on footwear” for ease of a getaway from a violent client. “Individual protection mechanisms” also include techniques employed by sex workers to “[reduce] or [avoid] provocations” (Center for Problem-Oriented Policing, n.d.a, Situational Crime Prevention, para.1), and which are similar to those identified by Li (2012) earlier such as the use of humour. The authors also recommend sex workers use the “gentling” technique which is used to “reduce any anxiety in the client, and if there is confrontation, their verbal skills are used to calm the situation” (Sanders & Campbell, 2007, p.11).

“Collective control” is the third strategy and includes the various forms of guardianship available to indoor sex workers (Sanders & Campbell, 2007, p.11). Receptionists are usually the first point of contact for clients and ultimately the ones who hold the power to permit them into the building. Some screening factors the receptionists apply to identify potentially dangerous clients includes hygiene, intoxication, age, and sometimes ethnicity (Sanders & Campbell, 2007).

Sanders and Campbell (2007) argue it is an inaccurate assumption that legalizing indoor sex work environments will automatically attract street-level sex workers indoors because as discussed earlier, the routines of street-level sex work and indoor-level sex work differ greatly and may not work for all sex workers. In addition, indoor sex work environments have stricter rules in regards to drug use and drug dependency (Sanders & Campbell, 2007). The authors propose further examining how safety strategies used indoors can be applied on the street to protect sex workers (Sanders & Campbell, 2007). Examples of strategies proposed by the authors to “manage both street and off street sex work” include indoor environments ensuring safety of workers through “improving security, working conditions, employment rights and training in safety” (p.14). The street could be better managed by “[providing] the presence of others (support services and agencies policing sex workers’ safety) to ensure physical safety and environmental security” (p.14). The authors also recommend designating a specific area for sex work and establishing “clearer rules and etiquette for both sex workers and clients, including an unambiguous zero tolerance of violence against street sex workers and proactive policing to respond to any violence by encouraging reporting and investigation” (pp.14-15).

Although the aforementioned strategies may appear to push the blame onto the victims, SCP measures should instead be viewed as empowering sex workers by giving them back their sense of control over their bodies and decisions during transactions with their clients. Table 7.1. below outlines SCP strategies identified through the review of the literature. The SCP framework is argued to be an effective solution to curb the high risk of violence that street-level sex workers face. However, to properly implement these strategies, major changes to the law and physical environment are required. Of course, these two aspects are not in the sex workers' control, but there are still some SCP techniques street sex workers could adapt to reduce their immediate risk of violence such as “[extending guardianship] by working with other sex workers to implement a system where they look out for each other, “[reducing] anonymity” by noting down licence plate numbers, “remove targets” including removing valuable items such as jewellery and keeping limited cash on themselves, and preventative measures to reduce the chances of violence arising during the transactions (referred to as situational violence) including the following strategies: “reduce frustrations and stress”, “avoid disputes”, and “reduce emotional arousal”. In order to ensure all involved parties are aware and understand the transaction, the “set rules” technique should be applied, and finally the “control drugs and alcohol” strategy can be applied prior to agreeing to a client to ensure the sex worker is in a proper state of mind to accurately screen a client and also during the transaction so that uncomfortable requests can be declined (Center for Problem-Oriented Policing, n.d.b, Twenty Five Techniques of Situational Prevention).

However, to note is that none of these strategies can be implemented fully or partially under the current proposed legislation (Bill C-36). For example, as the summary of Bill C-36 outlines¹³ some of the key proposed changes include targeting both the buyers and sellers of sex. In a letter addressed to Prime Minister Stephen Harper, more than 200 legal experts discussed the implications of Bill C-36 on sex workers' safety (Madondo, 2014). The letter argued that targeting the clients and prohibiting communication in regards to purchasing sex may make sex work dangerous for the sex workers. For instance, in order for clients to purchase sex without police detection, sex workers may have to work out of dark and isolated areas (Madondo, 2014). Strategies

¹³ Refer to Appendix B for the summary of Bill C-36

outlined in Table 7.1. Including outlining “terms of business” (Barnard, 1993, p. 691) before the sex worker agrees to a transaction with a client, asking for payment prior to the agreement, and implementing other useful screening precautions are not possible for street-level sex workers. Additionally, the legal experts who drafted the letter also note that this makes it more difficult for street-level sex workers to move to indoor environments as clients are not likely to visit these venues out of fear of arrest (Madondo, 2014). As discussed in this paper and stated in the letter to Prime Minister Stephen Harper (Madondo, 2014), and the Canada (Attorney General) v. Bedford case, shifting sex work indoors is a safer alternative to the streets.

Table 7.1. Situational Crime Prevention Strategies for Sex Workers

Increase the Effort	Increase the Risks	Reduce the Rewards	Reduce Provocations	Remove Excuses
Having a designated area specifically for sex work (Barnard, 1993; Sanders & Campbell, 2007)	Sex workers watching out for each other (Barnard, 1993) and developing “buddy systems” (Bowen, 2006, p. 27)	Keep a limited amount of cash on Themselves (Li, 2012)	Use interpersonal skills (Sanders & Campbell, 2007)	Outlining “terms of business” prior to agreeing to a transaction (Barnard, 1993, p.691)
“Women only buildings (including residents, staff, and management)” (Krüsi et al., 2012, p.1155)	Receptionists and managers looking out for the safety of sex workers (Sanders & Campbell, 2007)	Not wearing Jewellery (Sanders & Campbell, 2007), or wearing minimal jewellery	“[Use] humour” (Li, 2012, p. 624)	Client must pay the costs for requested services prior to the transaction
Being aware of cues/signs of a potentially dangerous client (e.g. the sex worker who declined dates with Robert Pickton after observing the stiletto in his car)	“Have men acting as minders” (Barnard, 1993, p. 699)	Conceal all valuables such as cell phones, jewellery, and credit cards (Li, 2012)	“[Speak] in a gentle voice” (Li, 2012, 624)	Establishing “clearer rules and etiquette for both sex workers and clients” (Sanders & Campbell, 2007, p.14)

Increase the Effort	Increase the Risks	Reduce the Rewards	Reduce Provocations	Remove Excuses
	Regularly profile incidents of violence to identify patterns such as hot spots, seasons, and time of the day for efficient deployment of police resources (Li, 2012, p.624-625)		"[Show] care and concern" (Li, 2012, p.624	"limiting sexual contact and sexual positions" (Sanders & Campbell, 2007, p.10)
	Install panic buttons in bedrooms (Li, 2012) Install CCTVs (Sanders & Campbell, 2007). CCTVs should be installed at the entrance "to deter potential offenders and to screen out high-risk customers" (Li, 2012, p.625)		"[Keep] alert of the customers' emotional stage" (Li, 2012, p.624).	"Women are not allowed to have more than 1 guest at a time" (Krüsi et al., 2012, p.1155)
	Install cameras "throughout the hallways of the buildings to allow staff and residents to detect incidents of violence" (Krüsi et al., 2012, p.1155)			
	Other sex workers "taking license plates" (Bowen, 2006)			
	Other sex workers "noting down car numbers...deliberately in view of the client" (Barnard, 1993, p. 698)			
	Clients are required to register at the front desk" (Krüsi et al., 2012, p.1155)			

Increase the Effort	Increase the Risks	Reduce the Rewards	Reduce Provocations	Remove Excuses
	'Bad-date' reports of recent violent clients are posted at the building entrance "(Krüsi et al., 2012, p.1155)			

Chapter 8. Conclusion

Addressing the root causes which push/pull sex workers' into sex work may be important to consider when developing prevention policies for the long term. However, in order to address the immediate risk of violence to street-level sex workers, the situational factors contributing to the violence should be examined. Every attempt was made to provide a comprehensive understanding of violence by clients against street-level sex workers, however it is a complex phenomenon to understand and requires an understanding of not only the violence but a multitude of other issues and factors which are associated with this problem such as social harms, nuisance aspect of sex work, health risks, safety of sex workers, legislation, politics, and stigmatization surrounding sex work. These complex factors make the development and implementation of prevention and intervention strategies very difficult.

Despite the complex nature of understanding this phenomenon, the versatile nature of the SCP framework makes it an ideal and effective solution to this problem. SCP strategies can be applied by sex workers, indoor sex work management, and in both indoor and outdoor environments. In this way, sex workers do not have to solely rely on management to enforce rules (although it helps), but can instead apply some of these strategies on their own before agreeing to clients and during their transactions with clients. However, as discussed earlier, none of these strategies can be applied under the current proposed legislation (Bill C-36) which makes the implementation of the strategies in Table 7.1. difficult. This clearly further complicates this issue of protecting street-level sex workers from violent clients. This paper forms the basis for further research to explore legal means to protect sex workers from violent clients, examine the effectiveness of situational crime prevention strategies in reducing violence by clients, and the practicality of applying the outlined strategies by street-level sex workers.

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Appendix A.

Former *Criminal Code* Provisions Related to Prostitution

BAWDY-HOUSES

Keeping common bawdy-house

210. (1) Every one who keeps a common bawdy-house is guilty of an indictable offence and liable to imprisonment for a term not exceeding two years.

Landlord, inmate, etc.

(2) Every one who

(a) is an inmate of a common bawdy-house,

(b) is found, without lawful excuse, in a common bawdy-house, or

(c) as owner, landlord, lessor, tenant, occupier, agent or otherwise having charge or control of any place, knowingly permits the place or any part thereof to be let or used for the purposes of a common bawdy-house,

is guilty of an offence punishable on summary conviction.

Notice of conviction to be served on owner

(3) Where a person is convicted of an offence under subsection (1), the court shall cause a notice of the conviction to be served on the owner, landlord or lessor of the place in respect of which the person is convicted or his agent, and the notice shall contain a statement to the effect that it is being served pursuant to this section.

Duty of landlord on notice

(4) Where a person on whom a notice is served under subsection (3) fails forthwith to exercise any right he may have to determine the tenancy or right of occupation of the person so convicted, and thereafter any person is convicted of an offence under subsection (1) in respect of the same premises, the person on whom the notice was served shall be deemed to have committed an offence under subsection (1) unless he proves that he has taken all reasonable steps to prevent the recurrence of the offence.

Transporting person to bawdy-house

211. Every one who knowingly takes, transports, directs, or offers to take, transport or direct, any other person to a common bawdy-house is guilty of an offence punishable on summary conviction.

PROCURING

212. (1) Every one who

(a) procures, attempts to procure or solicits a person to have illicit sexual intercourse with another person, whether in or out of Canada,

(b) inveigles or entices a person who is not a prostitute to a common bawdy-house for the purpose of illicit sexual intercourse or prostitution,

(c) knowingly conceals a person in a common bawdy-house,

(d) procures or attempts to procure a person to become, whether in or out of Canada, a prostitute,

(e) procures or attempts to procure a person to leave the usual place of abode of that person in Canada, if that place is not a common bawdy-house, with intent that the person may become an inmate or frequenter of a common bawdy-house, whether in or out of Canada,

(f) on the arrival of a person in Canada, directs or causes that person to be directed or takes or causes that person to be taken, to a common bawdy-house,

(g) procures a person to enter or leave Canada, for the purpose of prostitution,

(h) for the purposes of gain, exercises control, direction or influence over the movements of a person in such manner as to show that he is aiding, abetting or compelling that person to engage in or carry on prostitution with any person or generally,

(i) applies or administers to a person or causes that person to take any drug, intoxicating liquor, matter or thing with intent to stupefy or overpower that person in order thereby to enable any person to have illicit sexual intercourse with that person, or

(j) lives wholly or in part on the avails of prostitution of another person,

is guilty of an indictable offence and liable to imprisonment for a term not exceeding ten years.

Living on the avails of prostitution of person under eighteen

(2) Despite paragraph (1)(j), every person who lives wholly or in part on the avails of prostitution of another person who is under the age of eighteen years is guilty of an indictable offence and liable to imprisonment for a term not exceeding fourteen years and to a minimum punishment of imprisonment for a term of two years.

Aggravated offence in relation to living on the avails of prostitution of a person under the age of eighteen years

(2.1) Notwithstanding paragraph (1)(j) and subsection (2), every person who lives wholly or in part on the avails of prostitution of another person under the age of eighteen years, and who

(a) for the purposes of profit, aids, abets, counsels or compels the person under that age to engage in or carry on prostitution with any person or generally, and

(b) uses, threatens to use or attempts to use violence, intimidation or coercion in relation to the person under that age,

is guilty of an indictable offence and liable to imprisonment for a term not exceeding fourteen years but not less than five years.

Presumption

(3) Evidence that a person lives with or is habitually in the company of a prostitute or lives in a common bawdy-house is, in the absence of evidence to the contrary, proof that the person lives on the avails of prostitution, for the purposes of paragraph (1)(j) and subsections (2) and (2.1).

Offence — prostitution of person under eighteen

(4) Every person who, in any place, obtains for consideration, or communicates with anyone for the purpose of obtaining for consideration, the sexual services of a person who is under the age of eighteen years is guilty of an indictable offence and liable to imprisonment for a term not exceeding five years and to a minimum punishment of imprisonment for a term of six months.

OFFENCE IN RELATION TO PROSTITUTION

213. (1) Every person who in a public place or in any place open to public view

(a) stops or attempts to stop any motor vehicle,

(b) impedes the free flow of pedestrian or vehicular traffic or ingress to or egress from premises adjacent to that place, or

(c) stops or attempts to stop any person or in any manner communicates or attempts to communicate with any person

for the purpose of engaging in prostitution or of obtaining the sexual services of a prostitute is guilty of an offence punishable on summary conviction.

Definition of “public place”

(2) In this section, “public place” includes any place to which the public have access as of right or by invitation, express or implied, and any motor vehicle located in a public place or in any place open to public view.

Criminal Code (R.S.C., 1985, c. C-46 s 210-213)

Appendix B.

Summary of Bill C-36, Protection of Communities and Exploited Persons Act First Reading, June 4, 2014

An Act to amend the Criminal Code in response to the Supreme Court of Canada decision in

Attorney General of Canada v. Bedford and to make consequential amendments to other Acts

SUMMARY*

This enactment amends the *Criminal Code* to, among other things,

(a) create an offence that prohibits purchasing sexual services or communicating in any place for that purpose;

(b) create an offence that prohibits receiving a material benefit that derived from the commission of an offence referred to in paragraph (a);

(c) create an offence that prohibits the advertisement of sexual services offered for sale and to authorize the courts to order the seizure of materials containing such advertisements and their removal from the Internet;

(d) modernize the offence that prohibits the procurement of persons for the purpose of prostitution;

(e) create an offence that prohibits communicating — for the purpose of selling sexual services — in a public place, or in any place open to public view, that is or is next to a place where persons under the age of 18 can reasonably be expected to be present;

(f) ensure consistency between prostitution offences and the existing human trafficking offences; and

(g) specify that, for the purposes of certain offences, a weapon includes any thing used, designed to be use or intended for use in binding or tying up a person against their will.

The enactment also makes consequential amendments to other Acts.

(Protection of Communities and Exploited Persons Act, 2014)

*Bill C-36 can be read in full here:

<<http://www.parl.gc.ca/HousePublications/Publication.aspx?Language=E&Mode=1&DocId=6646338>>

Appendix C.

Homicides against prostitutes as a result of their profession, by region, 1991 to 2012

Year	Atlantic	Quebec	Ontario	Prairies	British Columbia	Territories	Total
1991	1	4	1	3	3	0	12
1992	0	1	0	1	1	0	3
1993	0	1	2	2	4	0	9
1994	1	3	4	2	5	0	15
1995	0	0	2	1	5	0	8
1996	0	3	3	3	1	0	10
1997	0	0	2	2	1	0	5
1998	1	0	1	2	3	0	7
1999	0	0	1	2	0	0	3
2000	0	0	1	0	0	0	1
2001	0	0	0	1	0	0	1
2002	0	1	0	1	16	0	18
2003	0	1	1	3	7	0	12
2004	0	0	1	4	6	0	11
2005	0	1	0	3	0	0	4
2006	1	1	1	2	0	0	5
2007	0	2	1	4	8	0	15
2008	0	0	2	1	0	0	3
2009	1	0	0	0	3	0	4
2010	1	1	0	1	2	0	5
2011	0	0	1	2	2	0	5
2012	0	0	0	4	1	0	5
Total	6	19	24	44	68	0	161

Note: "As a result of ongoing investigations in Port Coquitlam, B.C., there were 5 homicides reported in 2007, 5 reported in 2004, 7 reported in 2003 and 15 included in 2002 that occurred in previous years. Homicides are counted according to the year in which police submit the Homicide Survey to Statistics Canada" (Statistics Canada, Canadian Centre for Justice Statistics, Homicide Survey, personal communication through e-mail, May 6, 2014).

Source: Statistics Canada, Canadian Centre for Justice Statistics, Homicide Survey.