Kendall Leanne Laczko, candidate for the degree of Master of Arts in Justice Studies, has presented a thesis titled, *Advocates' Perspectives on Decriminalization and Safety Strategies for Female Sex Workers*, in an oral examination held on April 25, 2014. The following committee members have found the thesis acceptable in form and content, and that the candidate demonstrated satisfactory knowledge of the subject material.

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Abstract

Street-level sex workers are at a high risk for physical and sexual violence as a result of the stigmatization and marginalization of the sex trade industry. This thesis investigates the perceptions held by Regina sex worker advocates concerning the role of decriminalization as it relates to the safety of female sex workers. It examines the advocates’ perceptions on the type and extent of violence experienced by sex workers and the possible strategies or solutions to increase their safety. The data collected from eight semi-structured interviews with local advocates was analyzed using Attride-Stirling’s thematic network analysis. The findings of this research indicate that Aboriginal women, many of who are struggling with poverty, addictions, and social exclusion are overrepresented in the Regina sex trade. According to the advocates’ perceptions, Regina sex workers experience high levels of violence on a daily basis. This research suggests that the physical, sexual, and emotional violence sex workers experience is part of larger systemic issues that are shaped by colonialism, racism, and gender inequality. Thus, the advocates interviewed for this project argued in favour of an alternative regulation approach to sex work in Canada in order to increase the safety of sex workers and reduce the threat of violence.
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Dedication

I would like to dedicate my thesis to my family and friends. Thank you for believing in me and supporting me throughout my academic achievements. Thank you for always listening and providing me with words of encouragement. I would also like to give a special thank you to my graduate school friends for providing laughter and a place where we could all come together and talk about our research for hours on end. I truly believe you all have made my journey through graduate school a much more enjoyable experience.
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Chapter One: Introduction

Sex work is defined as one of several businesses within the sex trade industry that is based on individuals providing sexual services in exchange for something of value, such as money, drugs, or shelter (Pickles, 1992). Literature on sex work in Canada indicates that street-level sex workers are at risk of a significant amount of violence (Sanders et al., 2009). This thesis examines the proposition that the Canadian laws surrounding sex work prior to December 20, 2013, embeds female sex workers in a position where they are susceptible to violence and exploitation. The dangerous working environments sex workers are exposed to can result in their arrest, prosecution, stigmatization, and physical and sexual violence (Brown, 1999). Literature suggests that female sex workers, particularly those of Aboriginal ancestry are not afforded the same protection and rights as other Canadian citizens (NWAC, 2009). The overrepresentation of Aboriginal women in street-level sex work in the prairie provinces suggests that the marginalization and violence experienced by sex workers is rooted in racism, sexism, and colonialism (Hunt, 2013). The goal of this thesis is to provide a better understanding of the context and extent of violence sex workers experience in Regina, examine alternative legal approaches to the regulation of sex work, and offer strategies that will increase the safety of sex workers in Canada.

This chapter introduces the research problem and the goals of the thesis. The first section describes the high levels of violence and oppression sex workers are exposed to in Canada. The second section considers the history of the sex trade industry to illustrate how past attempts to alleviate and/or control sex work were inadequate in addressing the underlying causes of the marginalization and victimization of sex workers. Next, the
legislation surrounding sex work in Canada is analyzed to show how the laws prior to December 20, 2013, infringed upon sex workers’ rights and freedoms. Definitions of key words and an overview of the remaining chapters are provided. Lastly, this chapter closes with the significance and goals of the thesis.

1.1 Primary Research Question

What are advocates’ perceptions about the role of decriminalization as it relates to the safety of street-level, female sex workers in Regina?

1.2 Secondary Research Questions

1. What role do advocates have in the lives of street-level sex workers?

2. What are the perceptions held by advocates about the type and extent of violence experienced by street-level sex workers?

3. What do advocates understand to be possible strategies or solutions to increase the safety of sex workers?

1.3 Research Problem

Violence against street-level sex workers is a serious and pervasive problem that can be viewed as the result of the marginalization and inequality of women. Many women in Canada experience severe and potentially life-threatening violence in their day-to-day lives (Hodes, 2006). On average, an intimate partner kills one Canadian woman every six days (Beattie & Cotter, 2010). Gender-based violence is posited to be a widespread social issue rooted in the patriarchal belief that men, in particular heterosexual men, are more important or valuable than women (Hodes, 2006). This vulnerability results in and is exacerbated by the fact that the majority of individuals living below the poverty line in Canada are women and children (Hodes, 2006). Poverty
exposes women to circumstances that put them at greater risk for all forms of violence, most notably sexual and domestic violence. Inadequate access to resources creates conditions that make it difficult for women to financially support themselves and their children; thus, some women turn to the sex trade industry for survival (Hodes, 2006).

The intersection of race with these issues of gender and class puts Aboriginal women at an even higher risk of violence. Aboriginal women are eight times more likely to be killed by their intimate partner than non-Aboriginal women (Perreault, 2011). The Amnesty International (2004a) report, “Stolen Sisters: A Human Rights Response to Discrimination and Violence against Indigenous Women in Canada” shed light on violence against Aboriginal women in contemporary Canadian society. Despite Aboriginal women representing only 4% of the total Canadian female population, they experiences higher levels of violence in terms of both incidence and severity, and are disproportionately represented in the number of missing and murdered women in Canada (Amnesty International, 2004a; Oppal, 2012; Perreault, 2011). The Native Women’s Association of Canada (NWAC) reported that there are over 800 incidents of missing and murdered Aboriginal women and girls since 1944, but most cases are much more recent (NWAC, 2014). More specifically, there were 153 murders of Aboriginal women between 2000 and 2008, and it is estimated that an additional 115 Aboriginal women and girls are still missing (Amnesty International, 2010). NWAC has also stated that from September 2013 to February 2014, at least eight more Aboriginal women have been murdered and half of them were in Saskatchewan (NWAC, 2014).

Aboriginal women are overrepresented in the sex trade industry (Hunt, 2013). These women are doubly susceptible to violence due to the weak social and economic
positions of both Aboriginal peoples and sex workers in Canadian society. Sex workers are “twelve times more likely to be murdered than other women their own age” (Sanders et al., 2009, p. 44). This pattern of racialized and sexualized violence against Aboriginal women, specifically Aboriginal sex workers, must be understood within the larger context of colonialism.

The Canadian colonial legacy and the relationship between Aboriginal and non-Aboriginal people has exposed Aboriginal women to systematic marginalization and violence (O’Doherty, 2011). Assimilation policies and practices facilitated power imbalances whereby Aboriginal women were often excluded in the social and economic spheres of society (O’Doherty, 2011). Furthermore, a lack of access to legitimate opportunities can lead many Aboriginal women to become involved in illegal activities, such as sex work, in order to financially provide for themselves and their families.

Colonialism has fostered the dominance of white, middle-class normativity at the same time creating and sustaining negative portrayals of Aboriginal sex workers. The social degradation and marginalization that Aboriginal women experience from childhood stories of Pocahontas all the way to contemporary social policies reinforces the belief that Aboriginal women are of little value except for their bodies and sexuality (Acoose, 1995). Women who turn to the sex trade typically have been systemically excluded from legitimate employment and education, exposing them to poverty and making the sex trade industry an option for survival. These women not only experience violence due to their diminished social status as an Aboriginal woman, but are further stigmatized as sex workers.
The impact of colonialism has led to ongoing forms of structural violence. The effects of structural violence can lead individuals and populations to struggle with poverty, racism, and gender inequalities (Pedersen, et al., 2013). Canadian Aboriginal women experience situational and intergenerational trauma as part of their broader exposure to structural violence. Structural violence can also be linked to the increased vulnerability of sex workers. It can lead to the absence of adequate police protection and government services, which can increase sex workers’ risk for victimization. Amnesty International (2004a) described how police officials neglected to take Aboriginal women’s complaints seriously. When family members turned to the police for help in locating their missing loved ones, the police have largely ignored their requests. The police are depicted as assuming that these women live a high-risk lifestyle and are not really missing (Amnesty International, 2004a). The lack of quick response and concern for the safety of sex workers by the police can decrease the likelihood that missing sex workers will be found before they are murdered or that their murderers are apprehended (Amnesty International, 2004b). This can result in an increase in violence against Aboriginal sex workers because “johns” or “pimps” feel confident their crimes will go unnoticed or will not be seriously investigated (Amnesty International, 2004b).

Structural violence also impacts sex workers at the individual level. The exclusion of some women from a proper education and employment can lead these women to struggle with poverty (Hodes, 2006). Sex workers’ diminished social status results in many of them experiencing a high-level of drug and alcohol addiction, homelessness, medical, and mental health issues (O’Leary & Howard, 2001). Experiences of living with structural violence can form frameworks of trauma, pain, grief, and loss (Sherwood,
Hunt (2013) argues that individuals can internalize the trauma of colonialism by using drugs and alcohol. Concurrently, drugs and alcohol can be used as coping mechanisms for sex workers to deal with their involvement in the sex trade industry. This, in turn, can lead women to become dependent on the sex trade industry in order to pay for their addictions. Furthermore, researchers argue that sex workers are unable to safely leave this industry because their pimps use intimidation and violence to control and keep them on the streets (O’Leary & Howard, 2001). Homelessness also prevents sex workers from leaving the sex trade industry because they have no resources to help themselves find shelter (Hodes, 2006). Ultimately, structural violence facilitates and maintains the structures of power that seek to subordinate sex workers in our society. Sex workers are subjected to violence as a result of this lack of social support and marginalization.

1.4 A Brief History of the Sex Trade Industry

In order to understand violence against sex workers, the history of sex work needs to be critically analyzed. The prevalence of sex work throughout history shows that governments and political and religious claims makers have continuously tried to control or abolish this industry. The historical representation of sex workers reveals that they have typically struggled with marginalization and oppression. This attitude continues to play a significant role in how sex workers are perceived and treated in contemporary Canadian society. In patriarchal societies such as Canada, women are devalued and deemed inferior to their male counterparts, with both sexes acculturated to believe that women only have their sexuality to contribute to civilization (Wu, 2001). Hence, women
and girls are overwhelmingly overrepresented in sex work as a trade (Van Der Meulen, Durisin, & Love, 2013).

The first printed records describing the exchange of sexual activity for something of value can be found in the Hebrew and Christian scriptures (Clarkson, 1939). According to the Old Testament, a female sex worker’s sexuality is neither owned by a man nor is she forced to produce children since this work was one of the few options available to a woman to live independently and escape child-bearing (Wu, 2001). References of sex work as a trade later emerged in Northern Africa where all sex workers were slaves (Clarkson, 1939). Young female slaves were bought and expected to provide their bodies to men in exchange for a small gift, which was then taken by their owners (Clarkson, 1939). This exchange created a business based on men’s desire/need that generated a profit for the worker’s owner.

Sex work in the medieval era was deemed to be a deviant sexual practice within the Christian societies of Europe (Karras, 1999). Sex workers were thought to be lustful, promiscuous women whose uncontrolled desires for sex led them to the sex trade (Karras, 1999). In reality, many women became involved in sex work for much the same reasons as today: to gain money or something of value rather than for sexual desire. Medieval Christians considered these types of actions as “a state of the soul” (Karras, 1999, p. 162). Europeans during this era identified sex workers as outcasts not because of the sinful nature of the act but rather because they were sinful people who were either unable or unwilling to control their sexuality.

While sex workers were generally regarded negatively in medieval times, sex work was also considered a pragmatic “safety valve, preventing the seduction
or rape of respectable women, or redirecting men away from sodomy” (Karras, 1999, p. 163). Women deemed as sinful were valued because they provided sex in order to preserve the social order. This led to the establishment of public brothels in the late fourteenth and fifteenth centuries across England, France, Germany, and Italy, and municipal authorities appointed supervisors to regulate these brothels. Karris (1999) observed that:

Controlling women’s entry into the brothel, sex workers’ freedom of movement within the city, hours and days of operation, permissible charges and customers, and protection against sex workers’ being beaten by the brothel keepers or forcibly detained in an establishment (p.163).

These regulated brothels remained in operation until they were closed due to the syphilis pandemic across Europe in 1494 (Clarkson, 1939).

Sex work remained prevalent during the Industrial (1760-1840) and French Revolutions (1789-1799) (Connor, 1995). During the French Revolution, only elderly individuals and heads of households who could not support their dependents qualified for limited financial assistance (Connor, 1995). Thus, economic hardships led some women to become involved in the sex trade industry for their survival. It was believed that “men are willing to pay more for sexual access than for almost any other forms of female labour” (Conner, 1995, p.222). Furthermore, a lack of social welfare benefits and high unemployment rates perpetuated sex work as a viable economic option.

During the Victorian (1837-1901) and Edwardian (1901-1914) eras, sex work was dubbed a ‘social evil’ (Levine, 1993, p.483). In urban centers, such as London and Paris, a large proportion of the individuals living in poverty were women. Women who became sex workers rather than domestic or factory labourers were often coerced into sex work because of their social class, level of poverty, laziness, and alcoholism (Levine, 1993).
Nevertheless, many believed that the sexual appetite of deviant women posed a danger to both men and society (Conner, 1995). In a situation akin to contemporary Canada, sex work was legal, but female sex workers were arrested for other reasons, such as being unable to provide a current address (Conner, 1995). To control sex work, police commissioners in Paris raided the streets for women who were interrogated and subjected to medical examinations (Conner, 1995).

The continued threat of sexually transmitted infections (STI) being transmitted by sex workers influenced governments to create legal policies to control the sex trade. European governments became more tolerant of sex work through legalization “by allowing brothels legal or quasi-legal status and prostitutes special licenses” (Özbek, 2010, p. 555). In the Ottoman Empire, the proliferation of sex workers led residents to complain about “noise, nuisance, and harassment…which they claimed were a result of the brothels” (Özbek, 2010, p.561). Citizens living in neighbourhoods that had public brothels signed petitions to have municipal authorities close them (Özbek, 2010). In Beyoğlu, the police regulation of sex work proved to be too difficult since they did not have the legal authority to regulate sex work and laws were inconsistently enforced (Özbek, 2010). As a result, the Council of State issued the Venereal Disease Ordinance in 1884 for the sanitary inspection of the brothels (Özbek, 2010). This ordinance included sections that dealt with “age limitations for prostitutes, their attitudes during medical examinations, criminal reports, and duties of brothel keepers, the classification of brothels and places where a brothel could or could not be established” (Özbek, 2010, p. 566).
In 1864, the Contagious Disease Act, 27 and 28 Victoria, C. 85 was passed by Parliament to regulate and control venereal diseases in the United Kingdom. This Act allowed police officers, under the auspices of public safety, to examine sex workers for STI and enable them to arrest or detain those with a disease or who refused to cooperate (Levine, 1993). The Contagious Diseases Act considered female sex workers as criminals and led many sex workers to conduct their businesses on the outskirts of towns or to move into brothels in order to reduce their visibility (Levine, 1993).

Although sex work was common in the port cities along the eastern seaboard, especially those with naval establishments, North American sex work is more commonly associated with the westward expansion in Canada and the United States (Laite, 2009). Sex work was present in mining communities established in the nineteenth and twentieth century. North American mining companies employed few women and this exclusion led many to seek employment in domestic labour and sex work (Laite, 2009). According to Laite (2009), miners purchased sex as an escape from their daily existence, and sex work was important in the mining regions because it was “a way for women to make money, as a way to encourage male labour” (p.744). The wives of miners were treated as the property of their husbands, expected to bear children, and were excluded from the workforce based on gender. Women might have turned to the sex trade industry as a means to gain independence from other traditional female roles and to earn an income.

This brief history of the sex trade industry reveals that the exchange of sex for money has long existed and will continue to exist. Despite the implementation of policies and laws that have attempted to eradicate and/or control sex work, the global sex trade industry persists. The literature on the emergence of sex work illustrates that women’s
bodies and sexuality have been continuously controlled by the state and private ownership, which has resulted in women being susceptible to diminished social statuses and exploitation (Levine, 1993; Özbek, 2010). The historical representation of how women were valued and portrayed in the past has shaped the way in which sex workers are viewed today. Comprehending the historical context of sex work shows that there is a need for a new approach to manage the sex trade industry since previous attempts to regulate sex work did not address the underlying issues that put women into these positions.

1.5 Canadian Legislation on Sex Work Prior to December 20, 2013

Prior to the ruling of the SCC 72 in the Bedford v. Canada (2013) case on December 20, 2013, the Canadian government implemented various laws and regulations in an attempt to control sex work. Although sex work in Canada was legal, prostitution-related offences\(^1\), such as solicitation, were punishable by law under Sections 210 to 213 of the Criminal Code of Canada. Section 210 defines the bawdy-house offence:

\[
\text{§ 210(1)} \text{ Everyone who keeps a common bawdy-house is guilty of an indictable offence and liable to imprisonment for a term not exceeding two years.}
\]

\[
\text{(2) Everyone who}
\]

\[
\text{a. is an inmate of a common bawdy-house,}
\]

\[
\text{b. is found, without lawful excuse, in a common bawdy-house, or}
\]

\[
\text{c. as owner, landlord, lessor, tenant, occupier, agent or otherwise having charge or control of any place, knowingly permits the place or any part thereof to be let or used for the purposes of a common bawdy-house, is guilty of an offence punishable on summary conviction. (Criminal Code, 1985)}
\]

A common bawdy-house can be interpreted as an area used by one or more people for the purpose of sex work (Barnett, 2008). The areas occupied for sex work can be in

\(^{1}\) The term prostitution-related offence is used because of its legal connotation.
private or public spaces. In order for a person to be charged with this offence, they must display that they have some control over the premises and are involved in illicit activity; for example, a sex worker using their own residence for providing sexual services (Barnett, 2008).

The harshest punishments levied for a prostitution-related offence was procurement. Procurement involves an individual persuading others to become involved in some type of sexual services in return for money, goods, or services. Section 212 of the *Criminal Code of Canada* states:

§ 212(1) Everyone 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 (Criminal Code of Canada, 1985).

An individual convicted of procurement could have been imprisoned for a term not exceeding ten years. Individuals convicted of procurement involving a minor faced a maximum sentence of up to 14 years, but not less than five years of imprisonment. A person (i.e., the client) convicted of communication for the purpose of obtaining sexual services from a minor faced a maximum sentence of up to five years imprisonment (Criminal Code of Canada, 1985).

The offences found in Section 213(1) are related to the solicitation and the use of public spaces in regards to sex work (Barnett, 2008), and they included:

§ 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.
   d. solicitation and the use of public spaces for the purpose of prostitution is an offence punishable by summary conviction (Criminal Code of Canada, 1985).

Pursuant to Section 213, public places included any place that the public can openly view and have access to by right or by invitation (Barnett, 2008). It was also an offence to obstruct the flow of pedestrian and vehicular traffic for the purpose of sex work.

Although the federal legislation aimed to control sex work, many provinces and municipalities had introduced their own strategies to curb the sex trade. The provincial governments are limited when attempting to control sex work in their jurisdictions due to
the exclusive federal authority over the *Criminal Code of Canada*. However, municipal and provincial legislators utilize other strategies to indirectly control sex work, such as using injunctions over public nuisance within their jurisdictions. For example, the British Columbia Attorney General applied for an injunction to ban prostitution-related activity in the West End of Vancouver arguing that sex work was a public nuisance (Barnett, 2008). These types of injunctions displace sex workers to isolated areas of a city. Pushing sex workers from the public’s view and into marginalized, poorer neighbourhoods separates them from their social supports, and can ultimately place them at a higher risk of violence (Barnett, 2008).

Provincial governments have also used their highway and traffic legislation as a means to control sex work. Legislation in Alberta, Saskatchewan and Manitoba allow police to confiscate vehicles used in prostitution-related offences (Barnett, 2008). If the accused was found guilty of such an offence, the police confiscated their vehicle. However, if an accused was acquitted or attended a “John School”, such as an educational intervention program aimed at the clients of sex workers, their vehicles were returned (Barnett, 2008). Similarly, Manitoba, Yukon, Nova Scotia and Saskatchewan use the Safer Communities and Neighbourhood Act to close down properties used for prostitution-related offences (Barnett, 2008). Through the provincial courts, provinces could effectively close buildings if the surrounding community experienced negative effects from the properties where prostitution-related activities were occurring (Barnett, 2008).

Municipalities also attempt to ameliorate prostitution-related activities by enacting bylaws that limit the opportunities to be engaged in sex work. Stakeholders
strive to protect their cities and children from the negative side effects of the sex trade. Police often use anti-jaywalking and loitering laws to deter solicitation (Barnett, 2008). Rather than using the *Criminal Code of Canada*, police use municipal bylaws to fine and ticket individuals involved in prostitution-related offences. Child et al. (2006) argues that such municipal bylaws have harmful consequences since failure to pay a fine could have resulted in criminal charges and the possibility of incarceration. As a result, sex workers are frequently in conflict with the police. Municipalities also refuse to license establishments, such as massage parlours and escort services, because they were believed to be a front for prostitution-related activities. For an establishment to obtain a license, the owners/proprietors must abide by conditions that included police screening, minimum age for employees and hours of operation (Barnett, 2008). For example, Vancouver had long refused to grant new licenses for massage parlours and escort services based on the perceived sexual nature of the business than proven associations with sex work (Child et al., 2006).

Another technique that was used to deter potential customers from becoming involved in sex work was “john shaming” whereby a person charged with prostitution-related offences may have had their name and/or photograph published in local newspapers. In addition, some police websites posted photographs of vehicles that were frequently seen in areas where sex work occurred (Barnett, 2008). Lastly, some Toronto communities had developed outreach programs that had residents patrol the streets, photograph clients, shine lights in cars, and record licence plate numbers for the police (Barnett, 2009). Community members also ensured that neighbourhoods were well lit and open to the public to discourage prostitution-related activities.
On December 20, 2013, the Supreme Court of Canada’s decision in *Bedford v. Canada* struck down the *Criminal Code of Canada* sections prohibiting brothels, living on the avails of sex work, and communicating in a public place for the purchase of sex. These laws were considered unconstitutional because they were not consistent with the Canadian Charter of Rights and Freedoms. The *Bedford v. Canada* (2013) ruling highlighted the concern that the existing laws heightened sex workers’ risk of violence, for example through their displacement to isolated areas. Indoor sex work by contrast was perceived as reducing sex workers’ vulnerability to violence by allowing them to set up safeguards, such as receptionists, assistants, bodyguards, and audio room monitoring. The Canadian Parliament was given one year to draft new legislation regarding to sex work (*Bedford v. Canada*, 2013).

In the *Bedford v. Canada* decision the court described at length the potential harms that sex workers faced because of the existing laws. As emphasized in their ruling, sex workers do not receive the same rights and freedoms as other Canadians. The ruling addressed the various forms of violence sex workers face and the need for the Canadian government to do more to protect sex workers, stating, “the impugned laws deprive people engaged in a risky, but legal, activity of the means to protect themselves against those risks. The violence of a john does not diminish the role of the state in making a prostitute more vulnerable to that violence” (*Bedford v. Canada*, 2013, p. 52). Structural violence is implicit in this ruling and is a key theme of inquiry in the thesis. The violence experienced by sex workers can be understood through the examination of structural violence and its exclusionary nature. What the ruling does not address and is left unaccounted for is the role of colonialism and decolonization within a discussion of the
harm of sex work. This is a key omission. As will be seen in the literature review that follows, one cannot examine the issues of sex work and safety in Canada without talking about structural violence and colonialism. Prior to offering an overview of the chapters, operational definitions of key terms that are used throughout the document are provided.

1.6 Key Definition

1.6.1 Street-level Sex Work

The terms sex work/sex workers are intentionally used throughout this thesis to de-stigmatize individuals involved in this industry due to the negative connotations of the words prostitution/prostitutes. Sex work is known as a business that is based on a person providing sexual services to another person for some type of gain (Pickles, 1992). Street-level sex work can be defined as the exchange of money or something of value for sexual activity that originates in a public venue, such as the streets or vehicles (Howard & O’Leary, 2001). Sex work is an act of consensually paid sex where the sex worker and his or her client meet in a public place. Although this form of sex work is the most familiar, it only accounts for approximately 15 to 20% of all sex work (Seshia, 2010). Street-level sex workers typically work “six to eight hours a day, five to six days a week, and have three to five clients a night” and often have a circuit in a particular area (known as a ‘stroll’) (Scott, 2001). Sex workers in this category tend to establish themselves in a public area where they can maximize their visibility, clientele, and profits.

1.6.2 Pimps

Other members of the sex trade industry are pimps or madams. These individuals control the business and recruit workers (Scott, 2001). They take a large portion of the money received from the workers they employ. “Pimp” is a term that typically refers to a
male who profits from the earnings of an individual or individuals who engages in sexual acts for money (Christou & Smith, 2009). “Madam,” by contrast, is a term used to define a female who profits from sex workers in a brothel or other off-street settings (Christou & Smith, 2009). These pimps or madams are able to extract profits from the work of women under their control (Christou & Smith, 2009). It is estimated that 60 to 70% of a sex worker’s earnings go to their pimps or madams (Scott, 2001). These two types of individuals give meaning to the term “living off the avails” of sex work.

1.6.3 Clients

Sex workers have clients known as “johns” or “tricks” who seek their services for the purpose of a sexual encounter in exchange for money or other valuable goods (Lowman & Atchison, 2006). While sex workers’ clients in Canada can come from any socio-economic backgrounds, genders, and sexualities, a majority of female sex workers’ clients are White males (Lowman & Atchison, 2006). Most clients have been shown to hold more traditional views of women and their gender roles and often seek to gain control over women’s sexuality and their bodies. Many individuals become regular and repeat clients (Tewksbury & Golder, 2005).

1.6.4 Physical Violence

Physical violence occurs when someone deliberately causes physical pain or injury to another person (Steen & Hunskaar, 2004). An individual can engage in violence using a weapon or his or her body and can include, but is not limited to: punching, choking, hitting, biting, scratching, grabbing, or restraining another person (Steen & Hunskaar, 2004). Victims of physical violence may experience physical injuries such as cuts, bruises, and fractures (Tombs, 2007). This victimization has the potential for
causing serious bodily harm, psychological injuries or death to the victim.

1.6.5 Sexual Violence

Consistent with prior research, sexual violence is defined as a sexual act that is unwanted and/or without the other person’s consent (Muehlenhard & Kimes, 1999). This includes an individual having power and control over another person that is against his or her will (Muehlenhard & Kimes, 1999). Sexual violence is not limited to instances that involve extreme sexual force, such as rape, but also any unwanted sexual contact. Sexual violence can occur to anyone, regardless of their age or gender, and can be committed by strangers, acquaintances, family members, and intimate partners (i.e., date- and/or spousal-rape).

1.6.6 Racialized, Sexualized Violence and Murder

Racialized, sexualized violence and murder describes the multifaceted violence against non-White women. The interconnectedness of race and gender contributes to the violence experienced by Aboriginal and minority women. The underlying causes of violence are entrenched in racism, poverty, and marginalization. This term is used in the context of the missing and murdered Aboriginal women and girls in Canada. The Native Women’s Association of Canada (2010) employs this term to refer to the violence against Aboriginal women and girls. The term ‘murdered’ is used to refer to deaths resulting from homicide or negligence (NWAC, 2010).

1.6.7 Colonialism

Colonialism involves policies and practices that subject one population to the political domination of another population (Hunt, 2013). Colonialism is a process where colonizers control or seize land for settlement and development. Colonizers and settlers
envisioned “Indigenous people as savages who were in need of being saved from their heathen ways, either by force or surrender” (Hunt, 2013, p.85). It is argued that colonial ideologies and practices deny people their rights and humanity (Sherwood, 2009). Colonial ideologies and practices have been imposed on Aboriginal peoples through the formation of the Canadian state and legislation that subordinated and attempted to assimilate them (Hunt, 2013). In 1876, the federal government instituted the Indian Act, which allowed the government to regulate how Aboriginal peoples lived. Many aspects of Aboriginals’ lives were controlled by this Act, including the governance of Indian reserves, status, and placement in residential schools (Hunt, 2013).

1.6.8 Decolonization

Decolonization is a process that challenges the past and ongoing negative effects of colonialism in order to alter the colonized images of Aboriginal peoples and settlers (Pedersen, et al., 2013). This requires a shift in the current paradigm of the colonizer’s dominance and colonial denial that constructs and maintains the oppression of the colonized people (Sherwood, 2009). Hanson (2010) suggests that this must entail reading through a decolonized lens in order to examine the systems of oppression that target the colonized. Furthermore, it requires re-claiming knowledge and information through a balance of truths and histories, which includes incorporating literature and perceptions from the colonized and colonizers (Hanson, 2010). The common truth about a country’s colonial history can create an opportunity in which Aboriginal peoples and descendants of settlers might come together to witness their shared past, recognize its manifestation in the present, and critically align themselves toward a more positive relationship in the future (Hargreaves, 2012).
1.6.9 Structural Violence

Structural violence is defined as the harm individuals or populations experience as a result of the social, political, and economic structures of a society (Pedersen, et al., 2013). These structures restrict the ability of marginalized individuals to access their basic needs, such as education, shelter, and nutrition (Parsons, 2007). Systematic arrangements create socioeconomic conditions whereby specific groups of people are excluded from holding significant social, economic, and political decision-making power (Pedersen, et al., 2013). These exclusionary practices place these marginalized individuals at an increased risk of violence. This violence is not a result of any decision or action made by a particular person, but is an outcome of the unequal distribution of resources (Parsons, 2007).

1.7.0 Advocacy

Advocacy can be defined as “‘speaking up’ for oneself or others” (Forbat & Atkinson, 2005, p.322). The purpose of advocacy is to support individuals or a group of people who are marginalized and have little or no political voice of their own (Flynn, 2010). Advocates can speak on people’s behalf or provide them with the necessary information and access to resources in order for them to make an informed decision (Forbat & Atkinson, 2005). Advocates can also strive to influence public policy to bring about legislative action or change, which can include lobbying government and/or speaking out against oppressive practices (McDermott & Garofalo, 2004). These practices may allow disadvantaged people to have their voices better heard and to be seen as valued members of society (Forbat & Atkinson, 2005).
1.8 Organization of Thesis

*Chapter 1 – Introduction* provides an overall framework for this thesis. Violence against street-level sex workers and the impact of the prior laws surrounding sex work in Canada are described in this chapter. This chapter also outlines the scholarly literature on the role of colonialism, and the historical and contemporary effects of sex work. This chapter has described the primary and secondary research questions and the operational definitions that guide this research.

*Chapter 2 - Literature Review* builds upon the foundations provided by the concepts highlighted in Chapter 1. Previous research findings concerned with sex work, including both violence against sex workers and feminist theories are described.

*Chapter 3 – Methodology* presents how the research was conducted and describes discussion of the recruitment of participants, the use of qualitative methodologies, and its limitations in this type of research. The ethical issues of confidentiality and interview locations are also described in this chapter.

*Chapter 4 – The Data and Analysis* provides an in-depth description of the research findings using Attride-Stirling’s (2001) thematic network analysis. The data is presented in the sequence of textual codes followed by emergent basic, organizing, and global themes related to the primary research question. The key themes addressed in this chapter are structural violence, social exclusion, safety strategies, and legal perspectives.

*Chapter 5 – Discussion of Findings* provides a summary of the major components of the thesis and an overview of the research findings. This is followed by a description of policy implications and areas for future research to improve the safety of street-level sex workers in Canada. This chapter concludes with final remarks on the research topic.
1.9 Research Goals and Significance

This thesis examines the perceptions held by advocates in Regina concerning the role of decriminalization as it relates to the safety of female sex workers. More specifically, it aims to investigate perceptions about whether prior Canadian laws surrounding sex work endanger the lives of female street-level sex workers by exposing them to increased levels of violence not found in other forms of legal commerce.

This research originally focused on female street-level sex workers’ vulnerability to violence. However, during the course of the research it became apparent that there was a need to consider the broader contexts after respondents indicated that Aboriginal women were over-represented in street-level sex work. Accordingly, this research project will examine sex work and how this fits into the larger societal issues including the legacy of colonialism and the mechanisms of structural violence, as each must be accounted for when discussing sex work in Canada. Canada has neglected to afford Aboriginal women the same safety and protection afforded to non-Aboriginal citizens (NWAC, 2009). As a result, research that broadens our understanding of how political, legal, economic, and social structures, which makes Aboriginal women more susceptible to racialized and sexualized violence is a priority. The results of this study will contribute to policy knowledge on possible strategies or solutions to increase the safety of sex trade workers in Regina, Saskatchewan. The research draws on post-colonial feminism to analyze the ways in which colonialism, poverty, and sexism contribute to the marginalization of sex workers (Dube, 2002).
I connect to this research as a woman who is passionate about the treatment and rights of all women. I position myself as an ally, one that has not experienced the levels of oppression Aboriginal women and sex workers’ experience, but someone that wants to facilitate dialogue about these issues. My research creates a platform for advocates to share their voices and insights that can inform broader understandings of violence and sex work. Advocates often work outside of the formal justice system, often in non-profit community agencies with origins in grassroots movements (Flynn, 2010). Sex worker advocates direct, guide, and support sex workers while confronting and challenging obstacles to their safety (McDermott & Garofalo, 2004). Advocates are aware of the violence and marginalization sex workers experience since they work directly with them. Therefore, the perceptions of advocates about the regulation of sex work in Canada need to be documented and used to guide future research and inform the development of policy and law.
Chapter Two: Literature Review

This chapter presents a review of the literature on sex work and the impact the prior laws have had on the safety of sex workers. Examples of the types of marginalization and oppression that are prevalent in street-level sex work are described. Advocacy and safety strategies for sex workers are also addressed in this chapter. The various legislative approaches to respond to sex work are examined to provide a better understanding of the different options for the regulation of sex work. Prior to examining the impact of the prior legal status of sex work in Canada, an overview of feminist theory is provided as it guides the subsequent analysis. Post-colonial feminism provides a framework from which to analyze the violence experienced by sex workers and the laws that surround prostitution-related offences.

2.1 Feminist Theoretical Perspectives

2.1.1 Spectrum of Feminisms

Feminism is not one single theory, but is rather a diverse set of perspectives and concepts that aim to explain and address gender inequality and oppression (Simpson, 2006). Although there are different perspectives on feminism, a core belief is that women and gender issues need to be considered central, rather than peripheral, to examining and understanding human society (Chesney-Lind & Daly, 1988; Simpson, 2006).

Feminist theory is typically described as developing thus far as four waves or eras. The first wave was informed by Mary Wollstonecraft’s (1792) work, which focused on women deserving the same fundamental rights as their male counterparts (Williams & McShane, 2013). However, it was not until the late 1800s and early 1900s that the women’s suffrage movement began to achieve some victories in social reforms, such as
the right to vote (Williams & McShane, 2013). Feminists in the United States, Canada, and the United Kingdom during this era wanted to “dismantle discriminatory laws and exclusionary social norms” (Gray & Boddy, 2010, p.369). The women involved in first-wave feminism wanted a greater participation in the legal, political, economic, and social realms of society; they wanted more social responsibility outside of the private spheres of their homes and to claim their rights to participate in the public sphere. They fought to be considered as persons under the law in order to have the right to vote and not considered the property of their fathers or husbands (Gray & Boddy, 2010).

Second-wave feminism emerged throughout the 1960s and 1970s. Factors that ushered in this movement were the female participation in the war economies of Western nations during the Second World War (1939-1945), ongoing sexism, and criticism of the first wave of feminism (Chesney-Lind & Daly, 1988). Second-wave feminism emerged when Canadian women who entered the work force during the war were encouraged, coerced, and then legislated back into their homes once male veterans returned home (Simpson, 2006). During this era, women fought to expand their social liberties and civil rights (Williams & McShane, 2013).

Second-wave feminists embraced a number of theoretical positions, including liberal, socialist, and radical. The rise of liberal feminism influenced women to campaign for legal and social equality between the genders (Burgess-Proctor, 2006). Advocates challenged the notions that it was a woman’s place to be in the home (Burgess-Proctor, 2006). Radical feminism also came into fruition during the second-wave of feminism. This approach critiqued patriarchy as a system of power that organized society into a structure emphasizing male supremacy, which was then used to oppress women. Radical
feminists argued that male power and privilege were the root causes of all gendered social relations, inequality, and most crimes (Simpson, 2006). Socialist feminism recognized two systems that cause oppression: class and patriarchy (Burgess-Proctor, 2006). Second-wave feminists promoted equality in the workforce, access to childcare, reproductive and educational rights, and women’s safety (Brown, 1999). Ironically, this wave ignored the needs of non-White women. The second wave of feminism in most respects represented the interests of White, middle-class, and heterosexual women.

During the mid 1980s and 1990s, third-wave feminism built upon the gains of the second-wave feminism (Burgess-Proctor, 2006). The interests of the White, middle-class and heterosexual women were rejected in the third wave. Feminists from minority groups, such as African-American women and lesbians, rejected earlier notions of feminism because they were not nuanced enough to consider the intersections of oppression engendered by race, class, sexuality, and other forms of inequality (Burgess-Proctor, 2006). Instead, third-wave feminists focused on the liberation and differences of women’s sexuality, ethnicity, and kinship relationships (Gray & Boddy, 2010). The concept of intersectionality explained the connections between various forms of oppression (Chesney-Lind, 2006). Third-wave feminists recognized and emphasized the different sources of women’s oppression, such as race, class, and gender. The diversity in women’s experiences and lived locations and the variety of struggles for equality were embraced in the third wave.

Feminist theory is constantly evolving and Diamond (2009) argues that we are now in the midst of a fourth wave of feminism. Despite the advancements from previous feminist movements, women still experience significant gender inequality. In order to
take action, modern feminists use technology to advance women’s rights. Feminists are using the Internet to challenge sexism and misogyny as it appears in the media, advertising, and television (Munro, 2013). Bloggers and online activists have built a global community that enables women to network, organize, and share their stories from around the world (Diamond, 2009). The fourth wave of feminism continues to challenge the intersection of age, ethnicity, religion, sexual orientation or social class (Walby, 2011), and the Internet provides a democratized medium for marginalized women’s voices to be heard and opinions exchanged (Munro, 2013). Diversity and the divergence of values and priorities among women are prioritized and embraced rather than ignored (Walby, 2011).

2.1.2 Post-Colonial Feminism

Post-colonial feminism developed in the early 1980s during the third wave of feminism. Post-colonial feminism integrates the discourses of post-colonial and feminist theories. Post-colonial theory focuses on the residual effect of colonialism, such as the long-term effects of political, social, and economic oppression on colonized populations (Mills, 1998). While the second-wave of feminism addressed gender issues for White, middle-class women, post-colonial feminism emphasizes the different experiences of women from different cultures, classes, and race. It also addresses the gender issue gaps that are neglected in the analysis of post-colonial theory (Mills, 1998). The perspectives of post-colonial feminists differ depending on their ethnicity, class, race, and type of colonialism they have experienced (Dube, 2002). Despite there being various forms of post-colonial feminism, there are a number of shared strategies and concerns that link post-colonial feminists together.
Post-colonial feminism analyzes the effects colonialism has on gender and its influence on current thoughts and behaviours towards colonized women. Colonizers of the 18th and 19th centuries believed in the superiority of their culture, race, and religion and aimed to “save” others by converting them to reflect their identities (Dube, 2002). In nations colonized by Europeans, these beliefs and practices were ideologically grounded in Christianity, modernity, and industrial advancement (Dube, 2002). The colonial focus on “saving brown women” silences and homogenizes colonized women by suppressing their cultural differences (Pui-lan, 2002, p.6). Thus, post-colonial feminism recognizes the need for oppressed women to “define their own realities from their own perspectives, and that the authority of their own discourse should be accepted” (Dube, 2002, p.105). Post-colonial feminists emphasize the need to hear oppressed women’s voices.

Post-colonial feminism addresses the nature of women’s oppression by embracing their diversity (Mills, 1998). This approach posits that women are linked not only by patriarchy, but also by colonialism (Pui-lan, 2002). Post-colonial feminists are concerned with observing and respecting the differences in women, as opposed to universalizing women’s oppression. The movement to extend singular methods of oppression, such as class or gender, to embrace cultural differences among women as a strength provides an understanding of what homi bhabha (1994) calls a third space. bhabha (1994) introduced the concept of a third space to describe the lived experiences of those with multiple identities of race, gender, and class. In this space where there identities are shared, women can collaborate and empower one another despite not having identical histories of deprivation, discrimination, values, and priorities (bhabha, 1994).
Post-colonial feminism informs my research by providing an analysis of Canada’s colonial history to demonstrate how institutional discrimination has contributed to the racialized and sexualized violence towards female, street-level sex workers. This approach enhances our understanding of the root causes of why sex workers in the prairie provinces are predominantly Aboriginal females (Hunt, 2013). My research utilizes post-colonial feminism as a framework from which to examine the perceptions of sex worker advocates. This in turn allows me to stand alongside those who are marginalized in a place known as the third space. This research provides an opportunity for advocates and academics to come together for the purpose of understanding the reasons for the violence experienced by sex workers, particularly Aboriginal women. Through sharing the advocates’ perceptions, I can be engaged in the effort to create safety strategies and to contribute to policy knowledge that could potentially reduce violence.

2.1.3 Post-Colonial Feminist Approach to Sex Work

In order to understand the overrepresentation of Aboriginal women in street-level sex work, the legacy of colonialism needs to be critically analyzed—specifically, practices of assimilation and subordination. The use of residential schools and reserve systems to assimilate Aboriginal peoples resulted in many of them experiencing economic, political, and social inequality (Manzano-Munguia, 2011). Legislation was enacted to make Aboriginal peoples assimilate by imposing European cultural practices and values (Manzano-Munguia, 2011). As a part of the assimilation process, many Aboriginal children were removed from their homes and placed into residential schools. These school systems stripped the children of their heritage by forcing them to learn and speak only English, forgetting the use of their own languages and dialects, and to embrace
Euro-Christian culture, in particular converting to and practicing Christianity (Brown, 1999). Some children placed in these schools were emotionally, physically, and sexually abused (Vernette, 2009).

The *Indian Act of 1876* was the first tool of assimilation that had specific impediments for Aboriginal women. A patriarchal as well as racist classification system that distinguished Aboriginal peoples as either non-status Indians, Inuit and status Indians created inequities among these groups (Hampton et al., 2004). Bourgeois (2006) claims that the *Indian Act* and the residential schools are the reason for the lack of resources and weakened support systems for many Aboriginal peoples. The *Indian Act* made it possible for Aboriginal women to lose their Indian status and band membership if they married a non-status man (Hampton et al., 2004). This resulted in many women being removed from their communities because they were no longer allowed to live on reserves without proper status. These women had to choose between living in extreme poverty or relocating from their community to urban areas to obtain employment. This led many Aboriginal women to lose their support system of friends and relatives once they left the reserve. Forced assimilation and social constructions imposed by the *Indian Act* has diminished the power and resources of Aboriginal women. Changes were made to the *Indian Act* on June 28, 1985, when Parliament passed Bill C-31 (Hunt, 2013). This Act allowed those who had once lost their status and membership through marriage or birth to regain their Indian status. However, much controversy continues as to the built-in obsolescence or even the intention to annihilate treaty Indian status (Hunt, 2013).

The legacy of White settler privilege in Canada has lead to myths that the First Nations men offered their women to White men. This portrayal has created the perception
that Aboriginal women are inferior to White people (Schick & McNinch, 2009). When European settlers first arrived in the colony that would have become Canada, they reported that Aboriginal women were different than White women (Donaldson, 2002). They were described as appearing in public with bare breasts (Donaldson, 2002). The overtly sexual depictions of Aboriginal women evoke the traditional patriarchal ideology of female sexual aggression and social failure. The misrepresentation of Canada’s history has led to the development of racialized perceptions of Aboriginal women. This inaccurate version of history implies that Aboriginal women are sexualized objects who have limited value. Furthermore, their bodies are deemed worthless. This perspective sustains systemic violence against Aboriginal women, whether by perpetuating stereotypes, racist and sexist jokes, hypersexualized media presentations or personal violation of their bodies.

The effects of colonialism contribute to violence against Aboriginal women (Vernette, 2009). The ongoing relationship between Aboriginal peoples and the government-as-colonizers marginalizes Aboriginal people from fully participating in the political, economic, and legal spheres and plays out in the violence against Aboriginal sex workers. Working in this industry exposes Aboriginal women to conditions that heighten their risk to physical and sexual violence and death. As a result, prospects of these women are unquestionably and uniquely impacted by ongoing discussions relating to the legal status of sex work.

2.2 Violence Against Sex Workers

Sex work involving consensual sex between two adults is legal in Canada (Shannon, 2010). Prior to December 20, 2013, The Criminal Code of Canada proscribed
the illegality of “communication, procuring, bawdy houses and living off the avails of prostitution” rather than the sex act itself (Shannon, 2010, p.1138). This legislative confusion forced Canadian sex workers to work in isolated work environments in an attempt to avoid arrest by police—but this isolation increased their potential of being victimized (Shannon, 2010). These restrictions on sex work reduced sex workers’ ability to implement certain safety measures, such as the ability to safely screen potential clients for intoxication or propensity to violence (Bedford v. Canada, 2013). The previous legal status of sex work also influenced societal attitudes and how the media portrayed sex workers. Negative perceptions of sex workers contributed to how communities and individuals treated them. Beliefs that sex workers had little value allowed some individuals to oppress and abuse them.

Street-level sex work accounts for only 15 to 20 percent of all sex work in Canada and 80 percent of these workers are women (Seshia, 2010; Strega, et al., 2014). However, street-level sex workers are exposed to a greater risk of violence compared to indoor sex workers (Lowman, 2013; Prior, et al., 2013). Since the late 1980s, there have been at least twenty unsolved murders of street-level sex workers in Winnipeg, while in British Columbia there have been approximately 140 street-level sex workers that have gone missing or murdered (Lowman, 2013; Seshia, 2010). This is in comparison to there being “no murders in massage parlour workers, two murders of escorts, and one of a women working alone in an apartment, in which case street prostitutes are somewhere between 200 to 905 times more likely to be victims of homicides than their off-street counterparts” (Lowman, 2013, p. 243). It is also suggested that men who murder indoor sex workers
are often apprehended sooner than those who target street-level sex workers (Lowman, 2013).

Studies suggest that victimization and violence is more prevalent, frequent, and severe in street-based sex work than it is in other forms, such as brothels (Prior, et al., 2013). Street-level sex workers experience high levels of harassment, abuse, and violence perpetrated by a variety of people including clients, the public, pimps, and other women involved in the sex trade (Seshia, 2010; Shannon & Csete, 2010; Prior, et al., 2013). The levels of violence experienced by sex workers vary depending on their working environment. Environmental and social factors associated with indoor sex work “reduce isolation, provide workers with greater levels of real and perceived control, and limit options with for the concealment of weapons” (Prior, et al., 2013, p.584). Criminalization of sex work forces workers to isolated areas where threat of arrest is lower (Shannon & Csete, 2010).

Street-level sex workers in Canada experience all forms of violence, including physical, sexual, emotional, and psychological. According to interviews conducted with women involved in the Winnipeg street sex trade, street-level sex workers are often punched, held against their will, thrown out of moving vehicles, and hit by cars (Seshia, 2010). The violence sex workers experience can also include forced removal of clothing, rape, and murder (Comack & Seshia, 2010). Shannon and Csete (2010) state that police also perpetrate incidences of violence, which can include “excessive use of force, harassment, unlawful and invasive body searches, fines and detainment without arrest or formal charges, beatings, rape, and coerced sex for bribes” (p. 573). The violence sex workers experience is not isolated to this country. Studies conducted with street-level sex
workers in three cities within the United Kingdom found that 81% experienced a range of violence, including rape, kidnapping, physical assault, and verbal abuse (Prior & Hubbard, 2013). A study conducted in Queensland found that over half of street-level sex workers have been raped or assaulted compared to the 3% of those based in legal brothels (Prior & Hubbard, 2013). This indicates that sex workers do not receive the same privileges, protections, and human rights as other citizens (Longworth, 2010). Instead, sex workers experience stigma and violence, which further entrenches their oppression and marginalization (Longworth, 2010).

The notion that violence is an inevitable part of working in the sex trade puts sex workers at an even greater risk of violence (Comack & Seshia, 2010). Street-level sex workers are treated as nuisances and their lived realities are rarely the concern of the public or police (Longworth, 2013). The stigma attached to street-level sex work makes sex workers targets of abuse, as it motivates attacks and is used to justify violence against them (Seshia, 2010). Levi-Minzi and Shields (2007) state that societal attitudes support the belief that “sex workers are unrapeable, that they deserve the violence inflicted upon them, and that no harm is done when they are hurt or killed. Furthermore, they are usually marginalized women not afforded the same protections or even value as other human beings” (p. 80). These societal attitudes also contribute to how political and police leaders respond to street-based sex work. According to Comack and Seshia (2010), sex workers neglect to report incidences of violence to the police because they fear being charged or arrested. Longworth (2010) states that sex workers are “often blamed by police, as well as the public; they are told that ‘they asked for it’ and are regarded as casualties of their own choice” (p. 60). Thus, sex workers’ past negative experiences with
the police, such as having their claims of violence dismissed because of their involvement in the sex trade, leads them to conclude that the police cannot be relied upon for protection (Comack & Seshia, 2010).

Marginalization of sex workers also occurs through eradication projects implemented where they work. The construction of sex work as a social problem promotes the elimination of it to ensure “clean streets and safe communities” (Strega, et al., 2014, p. 9). Sanders, O’Neill and Pitcher (2009) found that neighbourhood residents fear a reduction to their quality of life from street-based sex work that brings with it discarded condoms, drug paraphernalia, and verbal harassment from sex workers and their clients. Some community residents have campaigned against sex workers by petitioning or lobbying to their local politicians, while some neighbourhoods have introduced street patrols to confront sex workers and their customers (Sanders et al., 2009). Residents picketing, surveilling, and harassing sex workers and their clients displace them to spaces where they may be more vulnerable to violence (Sanders et al., 2009). While it may be understandable that residents want sex work moved away from their homes, the displacement of sex work into isolated areas decreases the safety of workers. Thus, some compromises is required that reduces violence and preserves quality of life.

The images presented by the media also reinforce their marginal status. The media has portrayed missing and murdered female sex workers in Vancouver as “good White families whose daughters have gone missing from Vancouver Downtown Eastside” (Ferris, 2007). This account illustrates how the media can privilege whiteness over other races because most of the missing women were poorly-educated, lower-class,
Aboriginal women, many of whom turned to sex work to support themselves and their children (Balfour, 2011). Conservative Christian morality informs media portrayals of sex workers when depicting them as living a life that is wrong and immoral (J.J., 2013). Sex workers are stigmatized because of their perceived moral failure to the normative “good” woman (Lewis, et al., 2013).

The information that is included or excluded in the media representations of street-level sex work shapes the general public’s knowledge, beliefs, and understanding of sex workers (Strega, et al., 2014). The Canadian media has indirectly contributed to the violence against sex workers by using negative language to refer to sex workers, such as “hookers” or “drug addicts” who “plague the city.” These characterizations further stigmatize sex workers in the eyes of the public (Strega, et al., 2014, pp. 12-14). This contributes to the processes of othering. Visual portrayals of female sex workers often depict their beaten and mutilated bodies accompanied by sensationalized stories of how their “high-risk lifestyles” put them in harm’s way (Ferris, 2007; Strega, et al., 2014). The media neglects to describe the role of how poverty, racism and/or systemic marginalization have forced these women into dangerous situations (Strega, et al., 2014). As such, the media representations of missing and murdered sex workers can increase their susceptibility to violence by blaming sex workers for their victimization (Hunt, 2013). Seen this way, media reports can serve to dehumanize sex workers when representations focus on an individual’s involvement in the sex trade rather than the failure of social systems that bring them to this lifestyle in the first place. The media portrayal of these women contrasts with the stories of the missing and murdered Aboriginal women that were highlighted in the NWAC (2009) report. Family’s stories
about their missing and murdered loved ones humanize them by portraying them as
sisters, wives, and daughters.

Street-level sex workers are often the primary targets of serial killers (Lowman, 2013). Arguably one of the highest profile examples of violence against sex workers involved Robert Pickton of B.C., who killed dozens of street-level sex workers (Oppal, 2012). Pickton was convicted for six murders, had twenty murder charges stayed, and may have murdered as many as forty-nine women (Lowman, 2013). While Pickton was charged for attempted murder, assault with a weapon, unlawful confinement and aggravated assault in 1997, he was released after the Crown stayed his prosecution. He continued to kill women until his arrest in 2002 (Oppal, 2012). Police services throughout the Lower Mainland were criticised for not taking reports from sex workers seriously. Of the 33 women whose DNA was found on Pickton’s farm, 12 were Aboriginal and many were sex workers from the Downtown Eastside area of Vancouver, and some originating from Saskatchewan (Oppal, 2012). Pickton was eventually convicted of the second-degree murders of six women in 2007 and sentenced to life in prison. Unfortunately, Pickton’s targeting of sex workers is not a rare occurrence in Canada.

Similar violence can be found in Saskatchewan. John Crawford murdered a woman in 1981, three women in 1992, and was suspected in the deaths of at least three more women (McConney, 1999). His murder victims were primarily young, Aboriginal, female sex workers (McConney, 1999). The case of this murderer remains generally unknown as Crawford’s murder trial in 1996 received little media attention beyond Saskatchewan (McConney, 1999). The lack of media attention reflects the perceived low social worth of Aboriginal women, which in turn perpetuates an uncaring and
disinterested public. McConney (1999) concludes that Crawford’s offences received less media coverage than other murder cases because of the location, class, race, and sexism that surrounds his victims.

The stigmatization of sex workers was utilized to justify the murder of Pamela Jean George during the trial of her murderers. The murder of Pamela Jean George provides a Regina example of how the marginalization and stigma of sex workers can be reinforced in the courtrooms when female sex workers are portrayed as damaged goods. The overtly promiscuous, “drunken squaw” narrative has been used in courtrooms to reinforce societal stereotypes of Aboriginal sex workers (Bourgeault, 1997). In 1995, Pamela Jean George was sexually assaulted and murdered in Regina by two White, middle-class, male, university students. Her case illustrates how racial and sexual constructs of sex workers are normalized and accepted (Bourgeault, 1997).

During the trial, witness testimony and reports indicated that her murderers referred to Pamela Jean George as an “Indian hooker” and “squaw slut” who deserved to die (Amnesty International, 2009). The defendant’s defence attorney used her status and involvement in the sex trade industry to attach a negative stigma to Ms. George that focused solely on her degrading lifestyle; comments concerning her work as a sex worker were intended to discredit and devalue her (Comack & Balfour, 2004). Sex workers are rarely perceived as victims of rape by the court system because society often accepts the violence they experience (Balfour, 2011). Sex workers often experience victim blaming because society views sex workers as responsible for putting themselves in vulnerable positions. Ms. George, like many other sex workers, was depicted as being responsible for putting herself at risk. The jury disregarded the fact that George most likely became
involved in sex work as a method of survival and financial gain, rather than voluntarily entering the sex trade industry as a profession. George’s social status as a female, Aboriginal sex worker resulted in her murder trial being taken less seriously than a White female victim.

According to Hanson (2012), whiteness was characterized by civility and Aboriginality by degeneracy during Ms. George’s trial. Privilege framed the murder trial as the defence lawyers depicted the accused men as ordinary, healthy, heterosexual youths whose excessive drinking, inherent sexual desire, and sex were viewed as the rights of young White males (Schick & McNinch, 2009). The defendants were consistently referred to as upstanding citizens, while Ms. George was referred to as a hooker by the defence counsel (Bourgeault, 1997). The dominant hegemonic discourse where males are perceived as dominant and aggressive is utilized in framing the male perpetrators as either rare “monsters” or as boys partaking in normal male behaviour (Jiwani & Young, 2006). Thus, Ms. George was seen as a “rightful target of the gendered violence inflected by her white killers” (Hanson, 2012, p. 4).

These three cases highlight the ways in which the perpetuation of negative perceptions of the sex trade (and people working in it) ultimately threatens the safety, well-being, and rights of those who work in this industry (Lewis, et al., 2013). Sex work is stigmatized and this affects how sex workers are viewed and treated by other members of society, which can then justify the harm they experience. Stigmatization of sex workers is not “an isolated phenomenon, or expressions of individual attitudes or cultural values, but as central to the constitution of social order” (Lewis, et al., 2013, p. 199). The stigmatization of sex workers in Canada interferes with their ability to attain full
citizenship rights and the recognition of their work as labour (Lewis, et al., 2013). Prior to December 20, 2013, legislation on prostitution-related offences in Canada had indirectly exposed sex workers to dangerous and potentially fatal working environments. Ultimately, these insights emphasize the need for strategies and solutions to increase sex worker’s safety.

2.3 Advocacy

Advocates support or speak on behalf of the needs and rights of people from marginalized or disadvantaged groups. The purpose of advocacy is to assist people in accessing resources and to support them in exercising self-determination (Flynn, 2010). Advocates operate on individual, institutional, and systemic levels. At the individual level, advocates help individuals obtain access to important resources such as housing, financial assistance, and education (McDermott & Garofalo, 2004). Individual advocacy is based on short-term relationships that typically deal with single issues, crises or specific life transitions (Forbat & Atkinson, 2005). Advocates assist a person in making an autonomous decision by providing them with all the information necessary to make an informed choice (Flynn, 2010). When individuals do not have the decision-making capacity or are unable to effectively communicate their views, advocates can act in that person’s best interests, such as helping a client access resources. However, the goal of advocacy is to empower the individual to speak up for his or her own rights.

Institutional or systemic advocacy involves working to change institutional practices or policies (McDermott & Garofalo, 2004). This approach includes activities such as lobbying governments for legislative or policy reform or to speak out against discriminative practices (Flynn, 2010). Institutional or systemic advocacy seeks to
improve the quality of life for all individuals affected, rather than seeking change for one person. Advocates operating at an institutional level take a broader perspective, thus promoting long-term goals for the populations they are empowering (Flynn, 2010).

Advocates are required when groups lack a network of support and have been excluded from society or cannot access resources (Forbat & Atkinson, 2005). Advocates often possess important knowledge and expertise based on their own experiences. In the case of sex work advocacy, some advocates have developed strategies for helping sex workers understand their options, reduce their risks, and cope with their situations (Rekart, 2006). Van der Meulen, Durisin, and Love (2013) state there are many differing positions, opinions, and perspectives toward sex work among advocates. Some advocates are influenced by conservative Christian morality whereby they believe that sex workers need to be saved from their deviant and immoral lives (J.J., 2013). Other advocates represent more liberal values and fight for the removal of the state’s control over women’s bodies and sexuality (Goodyear & Auger, 2012). Accordingly, when discussing advocacy there is a need to recognize this range of perspectives and divergent motivations undertaken. These different approaches to advocacy can influence advocates’ strategies for safety. Advocates have been successful in protecting sex worker’s legal rights, lobbying for legislative change, and working at grass roots to protect them. A number of sensible strategies have been put forth from non-governmental and sex work organizations to reduce the risks that sex workers experience.

2.4 Safety Strategies

The Bedford v. Canada decision in December 2013 highlighted the need to address the safety of sex workers. The ruling stated that the existing laws undermined the
safety of sex workers and that it is the role of the state to protect all citizens’ rights and freedoms (Bedford v. Canada, 2013). It was also suggested that brothels would provide “the safety benefits of proximity to others, familiarity with surroundings, security staff, closed-circuit television and other such monitoring that a permanent location can facilitate” (Bedford v. Canada, 2013, p. 60). As addressed in the court’s decision, safety strategies can reduce the risk of violence that sex workers experience.

A safety approach to sex work includes a set of compassionate and pragmatic strategies that aims to improve sex workers’ quality of lives by reducing the negative consequences and violence they experience (Marlatt, Larimer, & Witkiewitz, 2012). Harm is considered to be subjective and depends on various external factors, such as cultural, societal, and economic circumstances (Kurtz, et al., 2004). Safety strategies entail adopting approaches that can affect policy, prevention, intervention, community-based education, and advocacy efforts (Marlatt, Larimer, & Witkiewitz, 2012). Comprehensive understandings are required in order to increase safety and ensure the effectiveness of these strategies.

Due to the violence that street-level sex workers experience, there is a need to implement strategies that will increase their safety and security. Safety strategies involve harm reduction approaches that focus on preventing violence by addressing the underling issues of violence and sex work (Bernadette, 2008). The use of interventions principles, such as education, empowerment, governance boards, accessible resources, and frontline prevention strategies can help to safeguard these women.
2.4.1 Education

Education for sex workers can improve their quality of life. Outreach programs delivered by educators, social workers, and nurses can inform sex workers on sexual health, disease, drug use, violence, debt, and working options (Rekart, 2006). Having knowledge allows women to feel more confident and make better decisions regarding their safety (Culhane, 2003). Programs need to be introduced that educate these women on their legal rights and opportunities available to them. There needs to be increased awareness of and accessibility to the work that advocacy groups do in providing safe housing, healthcare, and other social services to these women. Sex workers may benefit from being involved at the grassroots level, which can educate policy makers and the public about the risk that these women experience (Culhane, 2003).

Educating the public on the working lives of sex workers can potentially alter our myths and assumptions about sex workers, thus reducing the violence they experience (Lewis, et al., 2013). The criminalization of sex work categorizes sex workers as outlaws (Kuo, 2002). In order to reduce the stigma attached to sex workers, this work needs to be normalized as any other legitimate business (Sanders et al., 2009). An integral part in educating the public is having sex workers share their personal narratives (Kuo, 2002). Hearing the personal narratives of these individuals about the danger they experience can expose the reality of sex work to the public. These narratives have the power to alter societal values by refocusing the narrative from their bodies as sexualized to their relationships in community and as members of families. Having more realistic and accurate depictions of sex workers can lead to these women having a higher social value.
Ultimately, teaching the public about the sex trade can aid in decreasing violence against these workers by emphasizing their human value.

2.4.2 Empowerment

Empowerment is the awareness and strengthening of personal skills and options to control and improve sex workers’ lives (Rekart, 2006). COYOTE (Call Off Your Old Tired Ethics), an organization in San Francisco, California, draws attention to women’s rights in the sex trade industry (Sanders et al., 2009). COYOTE expresses the need to raise the self-esteem of sex workers. In order to have effective change in society, these individuals are taught to take pride in their work and respect their bodies. Empowerment enables sex workers to fight for their rights and social acceptance (Rekart, 2006). Non-governmental organizations, such as COYOTE, have promoted practical safety tips to empower and protect street-level sex workers. Interventions undertaken by COYOTE have resulted in improved negotiating skills, empowered workers to refuse clients, increased access and use of condoms, and training to recognize potential violent situations (Rekart, 2006).

2.4.3 Governance Board

Governance boards could provide support for sex workers and their communities (Kuo, 2002). These boards would be comprised of current or former sex workers, advocates, community stakeholders, and other service providers (Sanders et al., 2009). Members would come from various backgrounds and represent different sexualities, races, genders, and socio-economic classes. Boards ensure that different individual’s needs could be supported and address issues specific to sex work. For instance, the board would be responsible for regulating sex work advertising (Kuo. 2002). The members
would analyze how government policies impact the individuals working in the sex trade industry. This board could also serve as a mediator that resolves any conflicts arising between the sex workers and their communities.

2.4.4 Accessible Resources

Access to employment, counselling, legal, and housing services need to be made available to prevent individuals from becoming involved in sex work (Kuo, 2002). These services would provide individuals with economic and social supports. Other services, including shelters or safe houses need to be created for sex workers wishing to leave the industry. Decriminalizing sex work could increase the likelihood that state-funded shelters will be developed in a manner that is non-punitive and non-judgemental for individuals fleeing the sex trade (Sanders et al., 2009). This service would provide a safe and stable environment for sex workers to begin the process of reconstructing their lives.

Many sex workers use drugs and alcohol to cope with the stress associated with their involvement in the industry (Rekart, 2006). This creates obstacles to change because once sex workers are addicted to drugs and alcohol they cannot escape the industry, as they could not otherwise financially support their habit. Treatment for drug and alcohol addiction is also an important step for sex workers to avoid violent situations. Curbing a sex worker’s drug or alcohol use allows them to have better judgment when screening potential clients and they will have more control over their encounter, thus reducing their risk of violence (Kurtz, et al., 2004).

The stigma associated with drug use among those who are on the street also influences how caregivers interact with them (Bernadette, 2008). Negative attitudes towards “drug users” from caregivers, for example, may dissuade sex workers from
seeking addictions treatment. Instead, healthcare providers’ attitudes can be improved through sensitivity training and education on the needs of addicts and sex workers (Rekart, 2006). Sex workers should have access to mobile and roadside clinics, drop-in centres, and general clinics in sex work areas where they can be referred to specialized services, such as for drug treatment or detoxification (Rekart, 2006).

2.4.5. Frontline Prevention

Many sex workers working in a criminalized environment have developed their own specific strategies to reduce their risk of being victimized. These approaches to mitigating risk include having direct communication with their clients, hiring bodyguards, and screening clients (O’Doherty, 2011). One of the first approaches sex workers can take to reduce the likelihood of violence is to have open and direct communication with their client prior to providing a sexual service (O’Doherty, 2011). Outlining the terms, such as price or condom use, prior to engaging in the sexual act can help avoid misunderstandings later on that could potentially escalate to violence. Employing security personnel is another strategy used to mitigate risk in the sex trade industry (O’Doherty, 2011). This practice deters sex workers’ clients from acting violently due to fear of retribution. Lastly, screening clients prior to providing a sexual service allows sex workers to use their own intuition and perceptions about safety (O’Doherty, 2011).

Many sex workers have created cooperative strategies to increase their safety while working on the streets. Sex workers have been reported to work with each other to reduce potential risks (Lewis & Shaver, 2006). This allows someone else to take notice of their whereabouts by noting the license plate numbers of the cars they enter (Lewis &
Shaver, 2006). Sex workers can also share information regarding dangerous clients (O’Doherty, 2011). Another strategy used by sex workers is working in well-lit and highly visible areas that discourage violence (Lewis & Shaver, 2006). Public locations also increase the likelihood that passer-by’s intervene if something goes wrong. Lastly, some sex workers learn how to defend themselves in order to fight off aggressive clients (Kurtz, et al., 2004). Taking self-defence classes or learning how to fight assists them in protecting themselves.

Safety strategies are just one aspect in reducing violence towards sex workers. An alternative legislative approach on the regulation of sex work could potentially increase their safety. Alternative legislation and the implementation of safety strategies could also decrease the violence and marginalization street-level Canadian sex workers experience.

2.5 Regulation of Sex Work

Most societies have attempted to use legislation to confront or control sex work. However, sex work persists and continues to defy easy or simple solutions. State regulation of sex work can take four distinct approaches: (1) criminalization which prohibits all forms of sex-related work and punishes those involved (O’Doherty, 2011); (2) decriminalization which eliminates the legal restrictions and criminal penalties for engaging in sex work (Van der Muelen & Durisin, 2008); (3) Nordic model (also known as the “Swedish model”) which criminalizes the purchase of sex, but decriminalizes its sale (Waltman, 2011); and (4) legalization which transforms sex work into a legal activity (Waltman, 2011). Different legislative approaches to regulate sex work have been implemented and each approach has resulted in numerous benefits and challenges.
2.5.1. Criminalization

Most countries have criminalized sex work whereby it is illegal to be involved in that industry. For example, legislation in the United Kingdom and Canada (prior to December 20, 2013) has historically taken the approach of criminalizing sex work (Abel et al., 2009). The criminal laws require persons working in the justice system to arrest, fine, and even imprison those involved (O’Doherty, 2011). The criminalization of sex work prohibits individuals from soliciting, keeping or running a brothel, living off the avails of sex work, or procuring for the purpose of sex work (Waltman, 2011).

Some sex workers prefer working in street-level sex work. According to Abel and Fitzgerald (2012), the street environment provides some privacy for the workers and their clients. When they decide to leave the sex trade, they can do so without being labeled by the public. Sex workers also experience flexibility when working in street-based sex work (Abel et al., 2009). Sex workers are free to work the hours they choose and they may earn a higher income on the streets than they do in brothels (Abel & Fitzgerald, 2012). Since sex workers are working illegally on the streets, they do not pay taxes to the government. Thus, a larger proportion of the money sex workers earn working on the streets goes to them.

In countries that have criminalized sex work, it is impossible to stay within the law while working. Along with facing personal, legal, and social consequences for their involvement in their industry, these workers have few legitimate opportunities to improve their labour protections or human rights. O’Doherty (2011) states that the ability of sex workers to mitigate risks are “severely limited by the criminalization of ancillary activities related to prostitution; and their health is directly affected by the isolation and
stress that accompany marginalized labour” (p. 218). Abel and Fitzgerald argue that a criminalized approach to sex work results in “displacing street-based workers, forcing them to work in more remote and thus dangerous locations and increase their risk to violent attacks and unsafe sex practices” (2012, p. 9). Therefore, the criminalization of sex work may reduce the safety of sex workers.

2.5.2. Decriminalization

In New Zealand, New South Wales, and Australia, where sex work has been decriminalized, both the sex worker and their client are free from criminal penalties or restrictions (Van der Muelen & Durisin, 2008). Sex workers are “bound to the same workplace regulations, including health and safety standards, as all other workers and are able to organize unions, guilds, and associations to protect their basic rights” (Van der Muelen & Durisin, 2008, p. 306). The social and political conception of the sex trade is different for countries with decriminalized and legalized approaches. For example, decriminalization attempts to remove the negative stigma toward sex workers (Van der Muelen & Durisin, 2008) and enables them to operate as legitimate waged laborers similar to other employees (Waltman, 2011). Sex work is considered to be a job that is entitled to labour protections, taxation, and industry guidelines (Van der Muelen & Durisin, 2008).

On June 25th, 2003, New Zealand’s parliament passed the *Prostitution Reform Act* (PRA) and decriminalized all adult sex work (Van der Muelen & Durisin, 2008). Sex workers were included in the creation of industry guidelines. The framework for the decriminalization of sex work in New Zealand included the following rights:

a. safeguards the human rights of sex workers and protects them from exploitation
b. promotes the welfare and occupational health and safety of sex workers

c. is conducive to public health

d. prohibits the use in prostitution of persons under 18 years of age

e. implements certain other related reforms (Van der Muelen & Durisin, 2008, p. 307).

New Zealand sex industry workers, managers, employers, and clients must comply with
the Health and Safety Employment Act, 1992. This provision means that all brothels or
places of work must meet health and safety guidelines, such as being in good repair,
having fire extinguishers, non-allergenic lubricants and oils available, and allowing
workers breaks between clients (Van der Muelen & Durisin, 2008). Other additions to the
PRA incorporates mandatory safe sex protection, such as the use of condoms, and the
right of refusal or discontinuation of their services without penalty (Van der Muelen &
Durisin, 2008). Sex workers do not have to register with the police or have mandatory
medical exams (Van der Muelen & Durisin, 2008).

The PRA mandated the creation of a committee to review the impact that
decriminalization had on sex workers after the Act came into law. The Prostitution Law
Review Committee released its final report in 2008 stating that there had been no notable
increase in the number of underage or adult involvement in sex work (Van der Muelen &
Durisin, 2008). Sex workers were more likely to report incidences of violence to the
police and were less stigmatized (Van der Muelen & Durisin, 2008). It was also noted
that the PRA had positively affected the rights of sex workers to refuse particular clients
or practices (Van der Muelen & Durisin, 2008). New Zealand can be used as an example
of how including sex workers in the development of legislation and policies can increase
the possibility that their rights are upheld.

There are, however some challenges associated with a decriminalized approach to
sex work. A survey of sex workers conducted by Abel and Fitzgerald (2012) found that many disliked the rules and regulations as some earned less money after paying taxes and providing a portion of their earnings to their management. Many wanted to maximize their incomes, which is easier when working on the street. Although brothels are acknowledged as being a safer working environment, many reported that they were willing to trade their safety for more money working on the streets (Abel & Fitzgerald, 2012). Some sex workers also prefer working on the street because of the flexibility of the street environment as opposed to the routine and schedules of working within the regulated system (Abel & Fitzgerald, 2012). There is also less autonomy for sex workers working in established businesses (Abel et al, 2009).

2.5.3 Nordic Model

The Nordic model is a set of laws that penalizes the consumers for purchasing sex while decriminalizing individuals selling sex (Kotsadamn & Jakobsson, 2010). The Nordic model aims to abolish sex work by curbing demand, changing public attitudes toward purchasing sex, and promoting gender equality (Strom, 2009). This approach views sex workers as victims of male sexual violence and exploitation, and thus they should not be held criminally responsible (Lowman, 2013). The criminalization of the buyers and not the sellers of sex shifts responsibility of wrong doing to the buyer (Kotsadamn & Jakobsson, 2010). Harsher criminal penalties for customers, such as imprisonment, are meant to deter them from purchasing sex. This approach also supports the sex workers’ right to safety, health and non-discrimination by encouraging them to seek help to exit the industry (Waltman, 2011). Sweden was the first country to adopt these laws, followed by Norway and Iceland (Waltman, 2011).
In 1999, Sweden passed a law that criminalized the buyers of sex, while sex work was decriminalized for those who sold their sexual services (Strom, 2009). According to Swedish laws, a person who purchases a sexual service may be sentenced to a fine or imprisonment for a maximum of one year (Strom, 2009). These laws were enacted to improve gender equality and to prevent the exploitation of marginalized women (Waltman, 2011). The Swedish government implemented these laws because they associated gender-based violence and sex work as harmful and exploitative. Alongside the law, the Swedish government introduced exit programs and social services for sex workers wishing to leave the industry (Waltman, 2011).

Norway and Iceland followed Sweden’s approach to regulating sex work. In Norway, the law came into effect in 2008, while Iceland enacted legislation in 2009 criminalizing the purchase of sex (Strom, 2009). One of the main goals of passing the laws in Norway was to educate the public that the crime is committed by the johns rather than the workers (Kotsadam & Jakobsson, 2010). A survey conducted by Kotsadann and Jakobsson (2010) found that laws and policies do affect people’s perceptions on sex work as well as the visibility and proximity to sex work. For example, people living in the capital city held more negative attitudes towards purchasing sex in comparison to the general population. The results of the law on sex work in Sweden, Norway, and Iceland have been beneficial (Kotsadam & Jakobsson, 2010).

Studies conducted before and after the implementation legislation in Norway and Sweden shows the positive impact that the legislation has had on sex work. Strom (2009) suggests that the Nordic model is an effective step in ending sex work. The Swedish Prostitution Inquiry estimated that in Sweden during 1995 there were approximately
“2500 to 3000 prostituted women in Sweden, among whom 650 were on the streets” while in 2008 there were “approximately 300 women in street prostitution” (Waltman, 2011, p. 458). The findings of a study conducted by Strom (2009) also showed that sex workers reported having fewer clients since the law was enacted. Thus, the number of clients and sex workers working in the Swedish sex trade decreased since the introduction of the Nordic model.

Despite the Nordic model’s positive impacts, there has been criticism about the legislation. One of the main points of contention is that there is no evidence that sex work is less prevalent. Instead it is suggested that there has likely been an increase in hidden or underground forms of sex work (Waltman, 2011). Abel and Fitzgerald (2012) observed that Sweden’s regulation of sex work has led to the displacement of sex workers as they have moved to less visible and more isolated locations in order to serve more clients unnoticed by the police. The diminished number of clients leads women who are still involved in the sex trade to accept clients that they would have normally refused, such as drunk and aggressive men (Crago & Clamen, 2013). As a result, sex workers are now more vulnerable to violence and have less access to health providers and social workers (Waltman, 2011). Lowman (2013) indicates that another issue with the Nordic model is that it generalizes all sex workers as victims of male violence. For example, some women prefer to work in the sex trade opposed to working a minimum waged job because of the relative autonomy and better pay it affords (Lowman, 2013). Another study found that Swedes, who have lived under the laws since 1999 expressed more negative attitudes towards sex work than Norwegians who have only lived under the law since 2009 (Kotsadamm & Jakobsson, 2010). Negative perceptions towards sex work can lead to the
ostracism of workers, which enhances their risk of violence. Despite these concerns, the literature on the Nordic model is supportive of implementing laws in other countries where it is illegal to buy, but not sell sex.

2.5.4. Legalization

Proponents of legalizing sex work consider it an inevitable aspect of society that needs to be controlled and policed appropriately (Van der Muelen & Durisin, 2008). The Netherlands has enacted a number of progressive policies including the legalization of sex work. Prior to 2000, sex work in Amsterdam was illegal but operated under a policy known as regulated tolerance (Brants, 1998). This meant that the government accepts that “prostitution exists and seeks to keep it under control, but does not approve of it or regard it as legitimate” (Brants, 1998, p. 623). Nevertheless, in the Netherlands, sex workers paid taxes, claimed tax-relief on job-related expenses, and received pensions upon retirement (Brants, 1998). Regardless of the attempted abolition of sex work in the early 1900s, it was tolerated in Amsterdam as evidenced by the development of red-light districts (Brants, 1998).

On October 1, 2000, the Dutch parliament legalized sex work (Wagenaar, 2006). The Dutch parliament had three main goals: “To emancipate the prostitute and improve her or his position vis-à-vis the owners of sex establishments, to make the prostitution scene transparent and open to monitoring, and to combat criminal activities associated with prostitution” (p. 207). A group of political and police leaders, sex workers, and business owners created strategies on how to regulate legalized sex work. These policies obliged sex workers to register, pass physical exams, pay taxes, and work exclusively in designated zones (Wagenaar, 2006).
Yet another model is found in the legalized brothel industry in several Nevada. Proponents of this model argue that brothels are the safest alternative since both brothel managers and owners are perceived to protect their sex workers from violence by providing them with a legal environment within which to work (Brents & Hausbeck, 2005). They also protect the sex workers and their customers by state-mandated health testing of their brothels and the mandatory condom use (Brents & Hausbeck, 2005). The close proximity of the sex workers in their working environments encourages them to watch out for one another and there are panic buttons to summon help (Brents & Hausbeck, 2005). Since brothels are legal, the managers or sex workers are able to call upon law enforcement for help if trouble arises (Brents & Hausbeck, 2005). Brothel managers monitor both their establishment and workers via closed circuit television (Brents & Hausbeck, 2005). Currently, Nevada’s laws “punish third parties to prostitution, they regulate and zone prostitution away from so-called respectable areas of communities, and they address concerns over the spread of diseases” (Brent & Hausbeck, 2005, p.275).

Zoning by-laws are used in some U.S. cities to contain adult entertainment facilities to certain areas (Barnett, 2008). Other countries have unsuccessfully utilized zoning to contain sex work-related activities. Prior to 1990, the West German government zoned sex work areas by requiring registration, health cards, and medical examinations for sex workers (Kuo, 2002). Despite these efforts, street-level sex work remained as prevalent as it did prior to these changes and there was an increase in juvenile sex workers and sex clubs (Kuo, 2002). Boston, Massachusetts, is another city that proved that zoning is ineffective for controlling sex work. Boston authorities
developed a red-light district, but that resulted in other non-sexual businesses moving out of the area (Kuo, 2002). Crime increased as police enforcement patrols decreased in the area, and the red-light district became rundown and unsafe (Kuo, 2002).

Working in lawful environments is argued to be safer for sex workers. However, sex workers can be subjected to “mandatory finger printing and record checks, forced health evaluations, higher taxes and financial penalties, and constant police surveillance in addition to regulations on when and where one can work” (Van der Muelen & Durisin, 2008, p. 306). Although sex workers are allowed to form unions and workers’ associations, it comes with greater state regulation (Van der Muelen & Durisin, 2008). Anonymity within a legalized system is impossible because the personal information of workers is recorded. Sex-related businesses are not regulated in the same manner as other enterprises (Van der Muelen & Durisin, 2008). These factors suggest that the legal regulation of sex work may not produce significant benefits to workers. Seen this way, these attempts to regulate sex work are part of a long list of interventions in which the state continues to be involved in the control of sex work.

2.6 Summary

Sex workers have often been on the receiving end of harmful regulations and detrimental methods of social control, and have been deemed victims who lack agency and voice. The extent literature on sex work implies that female sex workers are susceptible to violence due to their diminished social status, and this has been attributed to oppression as well as disempowering and dehumanizing experiences (Schick & McNinch, 2009). Applying a post-colonial feminist framework enables scholars to consider how colonialism and sexism stigmatize and oppress Aboriginal sex workers.
Rather than being given the same assurance of safety as other Canadian citizens, Aboriginal sex workers are presented as easy targets of violent acts. A review of the literature suggest that the laws prior to December 20, 2013 regarding sex work created dangerous working environments that infringe on sex workers’ rights and freedoms. These laws resulted in sex workers being subjected to the threat of arrest, harassment, stigmatization, and physical and sexual violence (Brown, 1999). Thus, to achieve safer working environments for sex workers, different methods of regulation and safety strategies must be identified. This research seeks to understand the extent of violence sex workers are exposed to, as well as the preferred method of regulation and safety strategies to improve sex workers’ quality of life.
Chapter Three: Methodology

This research examines the perceptions of sex worker advocates in Regina, Saskatchewan concerning the extent of violence experienced by sex workers and the role of decriminalization as it relates to the safety of street-level sex workers. This chapter presents the methodological approach and the method of data collection used to answer the research questions. The findings were analyzed using thematic network analysis. The development of basic, organizing and global themes enables researchers to illustrate and explores the relationship between the themes and the research question. This chapter concludes with a discussion on the potential ethical issues and limitations of this research.

3.1 Methodological Paradigm

A qualitative study seeks to comprehend a social or human problem based on building a holistic picture, formed with words, reporting detailed views of informants, and conducted in a natural setting (Creswell, 2008). Bryman (1988) suggests that a qualitative researcher needs “to see the world through his or her subjects’ eyes, since the researcher would be unable to gain any leverage on this level of analysis from a distance” (p. 96). Individual interpretations of specific events or activities allow qualitative researchers to identify connections between various factors. The language used by qualitative researchers is personal and based on definitions that evolve during the study (Creswell, 2008). Methodological designs that are used in qualitative research may include: ethnographies, grounded theory, case studies, and phenomenological studies (Creswell, 2008).

A qualitative paradigm was used in this research in order to explore sex worker advocates’ perceptions on violence, safety, and the law and its relationship to sex work in
Regina. The benefit of this qualitative approach is that the perspectives of local advocates concerning the extent of violence experienced by sex workers, as well as their views regarding the regulation of sex work in Canada could inform policy and practices that would increase sex workers’ safety here and elsewhere.

3.2 Methods

Qualitative research consists of analysis of four types of information; observations, interviews, documents, and audio-visual materials (Jacob & Furgerson, 2012) Semi-structured interviews offer researchers the opportunity to engage with subjects about their perspectives on a given issue (Jacob & Furgerson, 2012). Semi-structured interviews can lead to building rapport between the researcher and participant that may increase the level of information participants are willing to share (Bryman, 1988). Semi-structured interviews also allow the researcher to control the direction of the conversation by reframing questions (Creswell, 2008). Pre-determined, open-ended questions also provide the flexibility to explore unexpected topics that may surface during the interviews. The interview questions asked in this research were created for advocates based on a review of the literature on sex work and violence.

The method of data collection used in this study was semi-structured interviews with eight sex worker advocates in Regina. This research explored their perspectives on the decriminalization of sex work in Canada and how it could potentially increase street-level sex workers’ safety. Interviews with participants were conducted through face-to-face, in-person, and telephone interviews. Participants were asked to share their perspectives on the type and extent of violence experienced by street-level sex workers and their recommendations for strategies to increase their safety.
3.2.1 Study Population and Sampling

The target population of this study were advocates who work with street-level sex workers in Regina, Saskatchewan. The selected participants were over the age of 18 years and self-identified as advocates. The majority of participants were associated with local organizations that work frontline with women involved in street-level sex work or johns in Regina. The participants included three men and five women. Due to most participants partaking in telephone interviews and not disclosing their ethnicity, it is difficult to distinguish between Aboriginal and non-Aboriginal participants. Some of the participants involved worked with Christian organizations, an academic institution, and non-profit organizations. Participants’ experiences of advocating on behalf of sex workers ranged from one to over twenty years of direct advocacy work. These advocates work for organizations that raise public awareness on the issues of sex workers and advocate to the government on changing the laws surrounding sex work. The advocates’ roles include providing referrals to sex workers for resources, such as safe houses and programs for addictions. The research represents a broad range of perspectives and participants included a former sex worker and parent of a murdered sex worker. The variety of advocates allows my research to include people from various social, economic, and cultural backgrounds. Thus, attention was given to represent each of the participants’ distinct voices in Chapter 4.

Sampling was purposive. As such, it did not involve random selection of participants. Participants were deliberately selected for their knowledge (Creswell, 2008; Payne & Payne, 2004). Unlike representative sampling that is based on knowledge of an entire population, a purposive sample enables a researcher to tap into expert knowledge.
The sample size was flexible. Due to recruitment difficulties, such as individuals and organizations not interested in participating, only eight interviews were conducted. Interviews were concluded once it was established that the participants were providing similar responses.

Prospective participants were identified through online websites for organizations working with sex workers. Local outreach programs in Regina were used as an entry point in accessing participants for the interviews. Directors of local programs were contacted, the research was explained, and they were asked to recommend potential participants or assist in advertising for research participants. Once contact was made with one participant, snowball sampling was used to access other advocates. Online searches through social media for individuals who are actively involved in public advocacy were also used to identify other potential participants. These individuals were then contacted via email to request an interview.

Snowball sampling starts with an individual or a small number of participants who recommend other people they know who may be helpful to the researcher (Payne & Payne, 2004). As a result, the recruitment relied heavily on the networks among the participants. To build trust, the participants need to feel comfortable with the researcher, the interview process, and their freedom to refuse to answer questions or withdraw from the research at any time. In order to gain trust, it was explained that the participant’s confidentiality was protected and their roles during the interview. Thus, participants who were satisfied with their interview experience spread the word to others and recommended that others participate in the research.
3.2.2. Protocol for Data Collection

Data collection in qualitative research begins with building rapport between the participant and myself. During their initial contact, participants were provided with an explanation of the research and their role. Specifically, the participants were informed that:

1. The research is focused on their perspectives on the role decriminalization as it relates to the safety of female street-level sex workers and the extent of violence experienced by street-level sex workers;

2. Their participation is voluntary and they are free to ask any questions as well as decline to answer any question and discontinue the interview at any time;

3. They have the right to decide whether the content of their interview is manually written down in a notepad, electronically recorded, or both;

4. The interview will take approximately 30 minutes;

5. The participants will be provided with a consent form to sign and date immediately before the interviews commence; its contents will simultaneously be read to them.

The interviews were originally intended to be completed in-person. However, I went back to the Research Ethics Board for approval to conduct telephone interviews in order to interview an advocate who was no longer residing in Regina. Following the Research Ethics Board approval, participants were then given the option to partake in an in-person or telephone interviews. The majority of participants chose telephone over in-person interviews. However, there was no perceived distinction between the telephone or in-person interviews in regards to the participant’s responses, content, and duration. Two
in-person interviews were held in offices where the advocates worked. The location provided a private setting in which the participants were able to share their perspectives. The six telephone interviews by contrast were conducted in an isolated area, were conversations could not be overheard, thus further increasing the participant’s confidentiality.

At the conclusion of each interview, the participants had the objectives of the research restated to them along with how they could access the findings. Participants were then provided with a University of Regina email address for further contact. The participants interested in the research results were emailed and provided with an online link to the completed thesis.

3.2.3 Data Analysis Technique

The interviews conducted with the participants ranged from approximately 20 to 45 minutes in length and were done between August and October 2013. The interviews were digitally recorded using a handheld recording device. Handwritten notes of personal observations were also taken during the interviews. Once all of the interviews were completed, the participants’ responses were transcribed from the audio recordings and interview notes into a single word document. The segment of texts were then coded and analyzed according to Attride-Stirling’s (2001) thematic network analysis.

Thematic network analysis is an analytic method that can be used to derive meaning of textual material found in qualitative research, aiming to deconstruct themes in order to gain understanding of an issue (Attride-Stirling, 2001). Thematic networks are a technique used in this analysis that creates “web-like illustrations (networks) that summarize the main themes constituting a piece of text” (Attride-Stirling, 2001, p. 386)
and can help sort the themes found in texts. This type of analysis consists of codes, basic themes, organizing themes, and global theme(s) (Attride-Stirling, 2001).

Within the thematic web, repeated words or phrases within the interview text are identified and labelled as codes that provide the basic material for the initial ordering and analysis of what the participants have disclosed. These codes are examined to identify clusters from which common ideas, known as basic themes, emerge. These basic themes represent the principle characteristics of the data (Attride-Stirling, 20001). Examination of how basic themes are clustered provides the next level of analysis – the identification of organizing themes. Organizing themes are used to make assumptions about the characteristics of the data by linking together clusters of interrelated basic themes. The premise is that characteristics of each basic theme need to be considered within the context of the other basic themes within each organizing theme. The highest level of analysis is found within one or more global themes that emerged from the analysis. A global theme “encompasses the principal metaphors in the data as a whole” (Attride-Stirling, 2001, p. 389) through examining the interplay between the organizing and global theme(s) related to the primary research question. As the texts progress in the thematic network, themes and patterns correlated with sex work and the laws surrounding it are revealed. Once the themes have been analysed, their content was further interpreted using post-colonial feminist theory. The connections between colonialism, sexism, and racism were used to develop a deeper understanding of the themes.

3.3 Methodological Limitations

The limitations of using interviews in qualitative research need to be acknowledged prior to commencing a study in order to develop a plan to ameliorate these
issues (Patenaude, 2004). Several challenges faced by researchers when conducting qualitative research are establishing rapport with participants and gaining and maintaining their trust (Patenaude, 2004). Gaining trust and access to a specific population is the most important and difficult step for qualitative researchers. Potential gatekeepers to the population may grant or deny access to researchers depending on their perceptions of the study (Patenaude, 2004). For example, one of the greatest challenges in conducting this research was finding individuals who identified as advocates for sex workers. Many of the organizations and individuals contacted were not interested in participating in the research. Some of the individuals that declined to participate stated that they did not perceive themselves as advocates for sex workers.

Gaining and maintaining trust with the participants is difficult to achieve and an ongoing endeavour. A researcher must prove to the participants that they are knowledgeable about their role and respect them as individuals (Patenaude, 2004). The credibility of a researcher is an important part of gaining the trust of a participant (Shenton, 2004). In order to establish rapport, I shared my background, qualifications and experiences with the participants prior to commencing the interviews. This information allowed the participants to see the importance of the research. The semi-structured interviews were conducted in a manner that respected the dignity of the participants. The language used in the interview questions was framed in a way that respected the values and interests of the participants.

To ensure that the participant felt comfortable, the face-to-face interviews took place in a safe and neutral environment. To prevent the influence of power differentials, interviews were conducted in a manner that allowed the participant and I to have equal
status (i.e., a table at the organization in a private location). Care was taken so that other individuals did not overhear interviews.

Building rapport between the researcher and study participants involves having a relationship through interviewing, listening, and observing (Patenaude, 2004). Rapport can be established by explaining to the participants that their involvement in the research is a unique opportunity for them to share their perceptions (Patenaude, 2004). Participants were made aware that their perceptions would help fill a gap in the academic literature about the working lives of sex workers in Regina, Saskatchewan. Rapport was also established between the participants and I through the awareness that the knowledge gained through the participants’ perspectives would be used to inform policy and practices.

It is paramount that a reciprocal relationship be established with the participants in order to build rapport and avoid perceptions of exploitation. While both the participants and I have a responsibility to speak truthfully, I had the additional responsibility to use my status as an outside researcher to accurately report, interpret, and disseminate the participant’s perceptions through academic venues, such as conference presentations, media contacts, and journal articles.

3.4 Ethical Considerations

Ethics refer to “an abstract set of standards and principles which social researchers can refer to in order to decide what is appropriate and acceptable conduct (Davidson & Layder, 1994, p.55). Approval from the University of Regina Research Ethics Board was received to conduct this research (see Appendix “A” for attached approval letter). The participant’s confidentiality was guaranteed in order to conduct this research in an ethical
manner. Avoiding research bias and creating a safe and neutral interview environment also ensured appropriate and acceptable conduct.

There are some risks associated with conducting qualitative research with sex worker advocates. The participants were professionals who had gained knowledge through their involvement with sex workers. However, due to the nature of the topic (i.e., asking about violence), some individuals could have experienced psychological and emotional stress. To address that potential risk, the phone number for Mobile Crisis Services was provided on the participant consent forms and they were reminded of their right to stop or reschedule the interview at any time.

One of the other ethical challenges qualitative researchers are often concerned with is the filtering of data that conflict with the researcher’s own values and beliefs, the literature, or data previously gathered (Nilan, 2002). However, researchers conducting qualitative research must also be critically engaged with their participants (Nilan, 2002). This was ensured by being aware of the relevant issues that affect the participants and by adopting the stance of an active listener through suspending bias and judgment.

To obtain accurate information, the participants were made aware that their participation in the research was confidential. Anonymity, however, could not be provided when conducting face-to-face interviews. Participants were informed that pseudonyms would be used during the data collection and the final written thesis to protect their confidentiality. Participants were also informed that only my supervisor and I had access to the notes and recordings to ensure their confidentiality. This was further enhanced by the use of phrases such as “one participant stated…” and similar non-identifying statements used in the final draft of the thesis.
All data is safeguarded in accordance with the requirements put forth in the *Tri-Council Policy Statement 2: Ethical Conduct for Research Involving Humans* (TCPS 2, 2011). During the data collection process, all of the written documents were stored in a locked filing cabinet on campus, which was only accessible by the thesis supervisor and myself. The electronic data was stored on a separate hard drive on the researcher’s personal computer, which required a password to access, and the backup copy stored on a USB drive was securely stored with the paper documents. All original data will be kept for the required five years, after which, will be destroyed using a paper shredder and, in case of electronic data, degaussed (demagnetized) and overwritten or deleted.
Chapter Four: Data and Analysis

Van Der Meulen, Durisin, and Love’s (2013) scholarship illustrates that there are many contrasting positions and perspectives on sex work among advocates. The December 20, 2013, ruling in Bedford v. Canada (2013) offers a glimpse of the wide range of regulatory approaches to sex work. Newspaper articles published after the court’s decision demonstrated a backlash from some advocates who do not support striking down previous laws because they perceive it as further exploiting women (Wingrove, 2013). Other advocates, by contrast applauded the decision (“Supreme court strikes down Canada’s prostitution laws”, 2013). In this chapter, I offer an overview of the perspectives of eight advocates working in Regina. Although each participant offers important insights on the issue of safety and sex work, they represent only eight perspectives in an otherwise complex social issue. It is also important to note that these interviews were conducted prior to the Bedford v. Canada ruling in December 2013.

This chapter presents the key findings of this research. An examination of the advocates’ perspectives on sex work revealed that sex workers in Regina experience social and economic deprivation, which places them in positions where they are more vulnerable to violence. In response to the high levels of violence sex workers in Regina experience, advocates suggest that the safest option for sex workers is for them to exit the sex trade. Furthermore, potential exit strategies and regulation methods are explored to determine strategies that will safeguard sex workers from violence. These key findings were formed from the participants’ responses to the interview questions. The common ideas were identified and analyzed using Attride-Stirling’s (2001) thematic network analysis.
The first step of this method involved coding the transcribed interviews. The textual data from the interviews was summarized and organized to form codes. The codes were then analyzed and interpreted to find recurring themes and patterns from the responses of the participants. The analysis was conducted by the examination of the relationship between the codes and the identification of the basic, organizing, and global themes.

The themes that emerged from the analysis of transcripts are presented in Table 4.1, which shows how the basic themes are grouped into organizing themes, all of which are encompassed in the global theme. Thematic maps illustrate the relationships between the three theme levels. The themes represent the underlying concepts that are described and organized in terms of the content expressed by the participants. Illustration 4.1 depicts the linkages between the basic, organizing, and global themes. The first organizing theme was used to examine social exclusion and its relationship to the extent and type of violence experienced by sex workers in Regina. The second organizing theme is analyzed to address advocate perspectives on potential safety strategies for sex workers. The third organizing theme analyzes the perceptions of advocates on the prostitution-related laws prior to December 20, 2013, and the most effective structure for the regulation of sex work in Canada. Lastly, the global theme incorporates all three of the organizing themes.

Analysis of the basic and organizing themes reveals that the regulation of sex work, safety strategies, and the social exclusion of sex workers in Regina is a product of structural violence. Structural violence is the systemic ways in which sex workers are placed in a position of social, environmental, political and economic exclusion. The
marginalization of sex workers prevents them from accessing resources that could improve their quality of life. This places sex workers in positions where they are more vulnerable to violence, poverty, and stigmatization.

Table 4.1 – Identification of Themes

<table>
<thead>
<tr>
<th>Basic Themes</th>
<th>Organizing Themes</th>
<th>Global Themes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Marginalization</td>
<td>Social Exclusion</td>
<td>Structural Violence</td>
</tr>
<tr>
<td>Addictions</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Violence and Interpersonal Relationships</td>
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<td>Education</td>
<td>Safety</td>
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<td>Security</td>
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<td>Support</td>
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<tr>
<td>Strict Penalties</td>
<td>Legal Perspectives</td>
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<tr>
<td>Increased Vulnerability</td>
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<tr>
<td>Regulation</td>
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</tbody>
</table>
4.1 Social Exclusion

Thematic network analysis entails the systematic identification of recurring themes and patterns based on the analysis of responses of the participants (Attride-Stirling, 2001). Participant responses were organized into themes and interpreted to address underlying concepts. Quotations from participants are used throughout this chapter to illustrate and support the themes that were identified. Each basic theme is described and analyzed in accordance to its relationship with the organizing and global themes. The first organizing theme addressed is social exclusion. This organizing theme describes participants’ understandings of what leads sex workers to be socially excluded. According to the perspectives of the participants, the basic themes of marginalization,
addictions, violence and interpersonal relationships emerged as sources of sex workers’ exclusion from society.

4.1.1 Marginalization

The participants expressed that Aboriginal female sex workers were often overrepresented in the Regina sex trade industry, and that they were also the most marginalized sex workers on the streets.

What I learned on the streets is that there are a myriad of issues: poverty, homelessness, and colonialism. So many of our Aboriginal women are trafficked, exploited, and prostituted…Aboriginal women outnumber every other ethnicity that there is out there. (Participant #1)

A high proportion of individuals working as street workers are Aboriginal females. (Participant #2)

I would say that 90% are Aboriginal or Métis or First Nations. They are of lower economics. (Participant #3)

I would say 91 to 92% of sex workers are Aboriginal females. (Participant #5)

If that person happens to be racially marked in a colonial context, such as Aboriginal, they are in even greater threat of death, violence, and abuse…I would say that of the sex workers in Regina, we have a large population of Aboriginals who have the least amount of resources and who are not in the position to protect themselves. Aboriginal sex workers are more vulnerable because we live in a racialized and colonial context. (Participant #6)

These statements resonate with the literature on colonialism, as there are a high proportion of Aboriginal women working in the sex trade industry in Regina. This overrepresentation is the result of the larger social issue, i.e., the exclusion of Aboriginal women in the systematic structures of our society. Not only does this marginalize them and place them in societal positions where they struggle with poverty, low levels of education, and unemployment, it also results in Aboriginal women themselves internalizing colonial domination. The effects of colonialism may speak to why
Aboriginal women outnumber every other ethnicity in the sex trade industry in Regina (Hunt, 2013). Aboriginal women already experience higher levels of violence due to race and class. Aboriginal female sex workers experience even further effects of marginalization and violence as a result of the discriminatory perceptions towards them. One participant even mentioned that the social status of Aboriginal women is replicated within the social system of the sex trade industry.

Even when we started in Regina 20 years ago, we had what you would call a high track and a low track. The low track was your Aboriginal girls, while on the high track were your White girls, Black girls, and if there were some Asian girls they were also on the high track. (Participant #5)

The indication that there is a high and low track amongst sex workers in Regina implies that there is a system of social stratification within that industry. The statement that Aboriginal women and girls have lower status suggests that they do not get paid as much for their services and are perceived less valuable than non-Aboriginal sex workers. Not only are Aboriginal women excluded from the social, economic, and political spheres of society, they are also placed at the bottom of sex work. This reflects the prejudice and systemic oppression of Canadian society in general, one that creates a disposable category of Aboriginal women. The over-sexualization of Aboriginal women in the media reinforces the legacy of colonial ideologies that acted as though Aboriginal women had little social worth aside from their bodies (Acoose, 1995). The dismissal of Aboriginal women’s human dignity is also demonstrated by the NWAC (2010) reports on the number of missing and murdered Aboriginal women and girls. The lack of state protection and support leads many of these women to be put into positions where sex work is their only option for survival.
Participants were asked about the most common issues they dealt with as advocate. All of the participants reported that sex workers are financially impoverished. Participants indicated that many sex workers turned to a life of sex work because they had few other options. Many of the participants’ reported that sex work was a desperate undertaking for women and used the language of survival.

They are doing this as a means of survival. They didn’t grow up and say this is what I want to do and be. It truly is do this or I don’t eat or feed my children or put diapers on them. (Participant #1)

From my experience with working with people involved in prostitution, they are doing so out of necessity. It is one of the few means that they have available to them to survive. (Participant #5)

They are struggling to make ends meet. They are involved in some very violent situations and many of them have children. So they are out on the corner today because tomorrow their children are coming and they don’t have enough money to buy them the gift that they want. (Participant #8)

Participant discussions on poverty and survival suggest that women’s involvement in the sex trade is involuntary. Two of the participants revealed that some women engaged in sex work in order to support their children. Sex work is seen as a viable solution to generate income in times of desperation. This struggle for survival can be understood as a result of structural violence. The social, political, and economic structure of society excludes these women from proper education and employment, which leads them to poverty such that they are forced to sell their bodies to survive (Hodes, 2006). Participant responses indicated that sex workers lack access to resources that would allow them to develop the skills and knowledge in order for them to obtain legitimate employment. As a result, many of these women experience marginalization through their
struggles with poverty; this can include being unable to provide for themselves or their children.

A lack of resources and income has a major influence on individuals because they must either live in poverty or seek other forms of employment to survive. Oftentimes, Aboriginal women’s only other option for employment is to become involved in illegal activities since many of them are excluded from legal and higher income jobs (Hodes, 2006). Illegal employment, such as sex work, further excludes these women from society because they are not only stigmatized for being poor but are now also stigmatized for their status as a sex worker. According to the media depictions of sex workers and our perceptions of sex work, these workers are viewed as sexual objects and are discriminated against. The social value and levels of respect sex workers have is less than other women in society. This leads women involved in sex work to be financially, economically, and socially on the margins of society.

The effects of this marginalization can lead sex workers to be at a higher risk of physical and sexual violence. Oftentimes, johns and pimps perpetrate this violence. Three participants revealed that the marginalization of sex workers has led them to have little perceived social worth in our society. These participants described how sex workers are perceived negatively by society.

They are seen as expendable. If that is how people view them, then anything can happen to them. (Participant #1)

People see these women as having no value except for their bodies or sexuality. (Participant #2)

That attitude and dismissal that these folks don’t have the same humanity that I have. There is a commonality of the conceptualization of non-human animals and these people that we dismiss. So we have the same level of contempt, lack of sympathy and empathy. (Participant #6)
Sex workers are seen as property. Johns treat them however they choose to. There is no respect for them. (Participant #7)

Comments from the participants suggest that the social perceptions of sex workers impact peoples’ behaviors towards them. Sex workers’ deviation from the social and cultural values of the status quo leads to their stigmatization (Lewis, et al., 2013). Individuals can use stigma to justify their oppressive and discriminatory actions towards sex workers. Seen this way, the violence sex workers experience does not count as real violence because they are seen as less than human and unworthy of a response. The construction of Aboriginal women as “savages” is a part of the broader discourse that renders their invisibility through the naturalization of the violence they experience (Hunt, 2013).

The participants implied that sex workers are seen as sexual objects and are treated like animals rather than human beings. The dehumanization of sex workers in Regina is consistent with how Pamela Jean George was portrayed during the trial of her murderers. The defense counsel used derogatory terms to blame the victim during the trial. The murderers received lenient sentences because of Ms. George’s lower social status as a sex worker (Comack & Balfour, 2004). The sexual objectification of sex workers influences some individuals to treat these women in a manner that dehumanizes them and promotes violence. The belief that some individuals deserve respect while others do not is fostered when individuals lack empathy and disregard the human value of sex workers. The social exclusion of sex workers often leads individuals to blame them for the violence and marginalization they experience.
One participant stated that people view sex workers as living a risky “lifestyle” and therefore are deserving of violence. That participant stated that it is not sex work itself that promotes violence, but it is the impact of the over-sexualization of Aboriginal women in our culture that actually encourages the violence. Demeaning depictions of Aboriginal women as “squaws” by the European colonizers continue to facilitate the physical and sexual abuse that these women experience (Donaldson, 2002). These colonial attitudes suggest that sex workers do not deserve the same rights and freedoms as other Canadian citizens. The colonial context that portrays racist and sexist stereotypical images of Aboriginal women results in their social exclusion (O’Doherty, 2011). Not only are Aboriginal women deemed disposable by virtue of their racialized hypersexualization, but they are in fact invisible within the constructs of normative Canadian society (Perreault, 2011). No public space is allowed them, at least not safe public space. As demonstrated by community eradication projects, community members do not want the sex trade in their neighbourhoods due to the fear of drugs, organized crime, and harassment associated with sex work (Sanders et al., 2009).

4.1.2. Addictions

Another basic theme that arose from the analysis of the data was addictions. Based on the data, alcohol and drug abuse appear to be a part of a cycle that keeps sex workers involved in the industry. Several participants spoke about sex workers’ struggles with drugs and alcohol addiction.

Sex workers often experience violence and are addicted to drugs and alcohol. (Participant #2)

The money is just used to supply a drug habit. (Participant #4)
There are significant drug and alcohol addition issues, whether it is their own [addiction] or living in a home where addictions were present. (Participant #8)

According to most of the participants, addictions to drugs and alcohol are a prevalent issue among sex workers. Many of the participants discussed the relationship between sex work and addictions in terms of feeding and perpetuating their habits. One participant implied that individuals finance their addictions through working in the sex trade industry. It was indicated that many individuals turned to or remained in the sex trade industry to gain money in order to maintain their drug or alcohol addiction. This often leaves sex workers poor and vulnerable. It is also very challenging for them to access care or services when they are under the influence of drugs or alcohol. Sex workers struggling with addictions creates a cycle where some of the women continue to work in the sex trade industry in order to afford their habit, while others struggle with addictions because of their involvement in the sex trade industry.

Substance abuse can be understood as residual effects of structural violence. Many sex workers internalize and then medicate against the harm caused by poverty and oppression through the use of drugs and alcohol. Participants articulated that sex workers abuse substances in order to cope with their life on the street. This suggests that some sex workers need to be in an altered state in order to remain working or handle the effects that their work has had on their lives. While some sex workers use drugs and alcohol to cope with their work, it also makes them unable to exit the industry because they need the financial support to feed their addiction.

According to the perceptions of the participants, most sex workers in Regina are Aboriginal. Women involved in the sex trade industry are subjected to violence. Thus, Aboriginal women who already experience high levels of violence experience an
increased risk of violence as sex workers. The threat of violence is even more severe when they are intoxicated as they may engage in risker behaviours. One participant revealed how an addiction can decrease sex workers’ safety on the streets and affect situations when a sex worker encounters a bad date.

The problem with street-level sex trade is that many of the people that are involved in it are either high or drunk or both. If they are not when they entered, they often coped with that. So in many cases, even though they are putting themselves in a situation of risk, the risk becomes elevated by their impairment. In addition to that, when they are impaired and something goes wrong they may want to report it to the police or access a service but they can’t quite describe the event in a way that can be used to prevent it from happening to somebody else because their impairment and their judgment is sort of fuzzy. (Participant #8)

Participant #8 explained that many of the sex workers are under the influence of alcohol or drugs while working. This is viewed as reducing women’s control over a situation with a client because intoxication can diminish sex workers’ abilities to fight off a violent client or properly negotiate the terms of an agreement. Furthermore, Participant #8 suggests that sex workers are less likely to report an incident of violence to the police when they are under the influence of drugs or alcohol. This could be a result fearing arrest were they to report an incident to the police while under the influence of an illegal substance. It was also indicated that even if a sex worker does report an incident to the police, they may have difficulty accurately relaying what happened due to their impairment. The potential loss of memory associated with intoxication may also weaken an individual’s ability to accurately report an offence and reinforces the narrative that sex workers cannot be taken seriously or lack credibility.

This aligns with the research on the murders committed by Robert Pickton. The police ignored many sex workers when they came forward with information on Pickton
The status of sex workers in society impacts their relationships with police officers. Some media depictions of sex workers portray the violent situations as a natural risk associated to the sex trade industry. For example, Ms. George’s position in society as a sex worker was used during her murder trial to discredit and devalue her (Amnesty International, 2009). The emphasis of Ms. George’s involvement in the sex trade and its inherent risk of violence was used to blame her for putting herself at risk of being murdered. The naturalization of violence and sex work allows individuals to take advantage and further exploit sex workers because they perceive that their violent actions will not warrant attention from the police.

The analysis of the interviews suggests that substance abuse impacts sex workers’ lives and when these women are struggling with an addiction it is even more challenging for them to leave the industry. Sex workers are exposed to additional stigmatization due to their drug and alcohol abuse. Stigmatization and discrimination can discourage some workers from seeking help. It may also affect the availability and service delivery of resources, such as healthcare, detox centers, and shelters. This ultimately leads sex workers to even further marginalization and social exclusion.

4.1.3. Violence and Interpersonal Relationships

Interpersonal relationships with offender populations, such as pimps or johns, continue to marginalize Aboriginal women. Many participants discussed the high level of violence sex workers experience from their pimps or johns.

They can be beaten to within inches of their lives. (Participant #1)

They get beat daily if they don’t bring money back to their pimps or if they have a bad date. (Participant #2)
My daughter was murdered probably from a trick. Most girls talk about bad dates that are violent towards them. So it is both, but pimps use violence as a tactic to keep the girls in line. (Participant #4)

You have young people driving down the street throwing things at them or you have people calling them names or physically getting out of their vehicles and assaulting them. (Participant #5)

Johns are the ones who abuse the sex workers. (Participant #7)

It has been suggested that pimps and johns instill fear into sex workers by exerting physical and sexual power over them (Seshia, 2010). It has been suggested that many sex workers experience interactions with clients that results in physical, sexual, emotional abuse, or death. The illustration of the severity of the violence sex workers experience in Regina is not surprising in light of what we learned from the two cases discussed earlier, that of serial murderers’ Robert Pickton and John Crawford (Oppal, 2012). Aboriginal sex workers were an ideal target, easily acquired and easily dismissed. Perpetrating violence on sex workers relates directly back to larger structural issues including poverty, racism, and marginalization.

As highlighted in Bedforv. Canada (2013) the violence sex workers experience from their johns and pimps is a result of the impact of the previous laws surrounding sex work. It is argued that the prior laws limited sex workers’ ability to establish safety strategies that would reduce their risk to violence. Thus, the prior laws made it illegal for sex workers to solicit in public, which lead them to work in isolated environments where they were more vulnerable to violence. The social exclusion of sex workers has forced these women into situations where their lives are not valued. Thus, johns and pimps often take advantage of sex workers’ weakened support systems and act out violently towards them. According to the participants, sex workers in Regina regularly experience violence.
They get beaten daily if they do not bring money back to their pimps or if they have a bad date. (Participant #2)

Some of them were killed, beaten to go out on the street when they didn’t have enough money; some of them have been molested and attacked out there. Recently this guy was going around and was grabbing the girls, raping them and beating them up and throwing them out of his car. He did this to several women. I know that some of the girls had their families hold them down and injected them with drugs to get them stoned so that they could work the streets and if they didn’t work, the mother would beat them up. (Participant #3)

There is always the predators and bad dates, but then there is everyday street violence where every time they step out on the streets that are at risk of being a target. (Participant #5)

I would say that sex workers experience violence almost hourly. They are attacked in the streets, throwing out of windows if they do not have enough money to pay to their pimps, customers, police, other men and women, other sex workers, and the community. (Participant #6)

They are maybe living sort of a risky lifestyle where they were fooled, taken advantage, drugged, or locked in a basement for several days and before they knew it, they were forced into selling sex. (Participant #8)

Several participants described that there are various perpetrators of violence. Although participants indicated that most perpetrators are johns and pimps, sex workers also experienced violence at the hands of other individuals. Some advocates observed that other members of the community have also victimized sex workers, such as gang members, other sex workers, and family members. Gang members were described as taxing sex workers for working in their gang territories and it was reported that some sex workers are attacked for working on another women’s stroll. Other participants described situations where the families of sex workers drugged them and forced them to work on the street to sustain their drug habits or provide an income. These observations suggest that some workers were coerced into the industry.
These interviews validate and support the research conducted by NWAC (2010). NWAC argues that higher levels of poverty, lower educational attainment, higher unemployment, poorer health, and lack of housing affect Aboriginal women. The policies and practices of the Indian Act removed many of these women and their children’s Indian status if they married a non-status man, thus reducing their access to resources (Hunt, 2013). These conditions of alienation can further facilitate Aboriginal women becoming involved in the sex trade, thus increasing their risk of violence.

4.2 Safety

This section was originally intended to address harm reduction strategies that would increase sex workers’ safety from violence. However, when participants were asked about potential strategies or solutions to increase sex workers’ safety they suggested that programming that would provide women with additional skills or resources would dissuade them from being involved in sex work in the first place. The participants’ responses imply that advocates feel that exiting the sex trade industry is the safest option for these sex workers. This further suggests that sex work in Regina is harmful and dangerous to women as long as they are actively involved in the industry.

The Bedford v. Canada (2013) ruling addressed the need for safety strategies to reduce sex workers risk of violence. Although interviews were conducted before the Bedford v. Canada decision, the following participants offer specific safety strategies and echoed the concerns addressed in Bedford.

The basic themes that emerged from the analysis are potential strategies or solutions for increasing the safety of sex workers. The three basic themes were education, security, and support.
4.2.1 Education

Education is a basic theme that emerged from safety as an organizing theme. Education, in the form of obtaining a diploma and learning job skills, is viewed as an important component in developing an exit strategy from the sex trade. Several participants emphasized the importance of having increased programming that focused on educating these workers.

We need other programs that can be put in place to help women get jobs, such as job re-training, finishing their high school or whatever they need. (Participant #1)

Sex workers need education and to be given assistance to things like employment. (Participant #4)

We need alternative education programs; we need a program that has entry-level programs, employment based programming, programs that work from where people are at and build capacity on their terms, and we need open door policies. It also requires a very clear understanding of outcomes and how we measure success. (Participant #5)

I think to have a resource where they can reskill themselves, so that they can pick up another type of labour. (Participant #6)

These statements suggest that education is a key component in increasing sex workers’ safety. Advocating for sex workers’ right to education is aligned with the goals of second-wave feminists (Williams & McShane, 2013). Although feminists fought for women’s civil and social rights throughout the 1960s and 1970s, it appears that sex workers, particularly Aboriginal women, were not afforded the same rights (Dube, 2002). The lack of sex workers’ access to further their education or employment highlights the need to review how their rights are being met. Furthermore, the participants revealed that there is a need for education-based programs to assist sex workers in obtaining new skills. They recommended that these programs focus on earning a high school diploma, as well as assisting them with obtaining employment.
Participants suggested that gaining new skills might make it easier for sex workers to leave the industry. These women may be able to use their new skills to obtain different forms of employment. One participant advised that these programs should be flexible in order to align it with the needs of sex workers. Due to the instability of sex workers’ lives, having an open door policy for an educational program would make it easier for them to return and finish a program. Providing sex workers with a formal education is a long-term solution. Obtaining new skills or a high school diploma takes a long amount of time to achieve. Developing knowledge and skills will help open doors for these women and help them to obtain employment. Therefore, education can potentially alleviate the financial strain and marginalization of women involved in sex work.

4.2.2 Security

Another basic theme that has developed from the safety organizing theme is security. Participants expressed the need for sex workers to have security in their lives. The safety and security of sex workers were also the concern of the Bedford v. Canada (2013) ruling. The court argued that the state was not affording sex workers the safety and protection as outlined in the Canadian Charter of Rights and Freedoms (Bedford v. Canada, 2013). Thus, there is a need to increase the security of sex workers. Security has been discussed in terms of established safe houses and offering programming that provides support. Several of the participants stressed the importance of having a safe place for sex workers to take refuge.

We need places that are developed for them to be safe. We have a couple of places in North Central for them, but we need to get them out of North Central, and get them out of the area in order for them to be safe because if you are in the
trafficking area they will go back into it. It is like saying we need to build a detox center right next to the discount liquor store. (Participant #3)

Our experience is if the girl was going to leave the streets, she needs to be isolated from her contacts, which is a hard thing. We need a safe house, outside of the city with a very attractive environment where they are treated well, receive good nutrition, treatment and education, and are given assistance to things like employment and if they have children that were apprehended to give them their children back. (Participant #4)

There needs to be more safe houses specifically for sex workers. These safe houses need to be isolated from the streets. (Participant #7)

Several participants suggested that safe houses are needed to provide a secure and healthy environment for sex workers. They indicated that these would be non-judgmental residences where sex workers can receive proper nutrition and shelter. The most important requirement expressed by the participants is the location of these houses. The participants specified that safe houses must be isolated from the streets where sex workers typically work, such as Regina’s North Central neighborhood. Therefore, safe houses could be established in the outer limits or suburbs of the city. This removes sex workers from the temptation of working on the streets, as well as reducing the risk of harassment by their pimps or johns. The ruling in *Bedford v. Canada* (2013) suggested that indoor spaces, such as brothels, would increase security for sex workers because it would allow sex workers to work alongside receptionists and bodyguards. This security was perceived as reducing sex workers’ vulnerability to violence because they would be in close proximity of others. Thus, if they were in need of assistance due to a violent client, they would have somebody close by to call for help.

Several participants discussed the importance of having continuous funding for programs that provide support for sex workers. Having secure programs in place can establish consistency and security in the lives of sex workers.
We need long term programs and resources, we need agencies working with these populations that aren’t scrounging one month to the next not sure whether they can keep their doors open or programs going. You can’t retain qualified staff if you can’t guarantee them a wage. We need programs were people have time to build that trusting relationship with, but this hit and miss programming causes people to go back under again because there is no consistency. (Participant #5)

There is such a struggle for funding for NGO’s and every year those programs that are providing services to sex workers, they struggle to know if they are going to be operating the following year. So it would be nice if there would be more of a commitment. (Participant #8)

These participants emphasized the importance of having consistent programming available to sex workers. Respondents indicated that it was important for sex workers to build rapport with the staff who are implementing programs. Mutual trust and respect are established only when sex workers and staff have long-term relationships and are comfortable with one another. However, it is suggested that a lack of funding disrupts programming and staff retention. This lack of consistency decreases the likelihood that sex workers will continue to participate in the program. This is perceived as leading sex workers back to the streets despite their initial efforts of seeking assistance through increased programming. Lack of funding directed at sex workers might be a result of the negative stigma attached to the sex trade. Funding for sex work programs may be disproportionately lower than other social programs due to the societal perception of sex workers as deviant women. Furthermore, sex workers’ low social status limits their access to basic needs.

4.2.3 Support

The safety organizing theme also includes basic support. Participants discussed support in terms of assisting sex workers and providing more extensive programing to them. A number of participants expressed the need for empowering sex workers.
I am saying get out there and do something about this and if you are an employer, hire some of these women and help them with getting a grade 12, help them with childcare until they get on their feet. (Participant #1)

I hear over and over again that they feel that they are not good and are like a dirty Kleenex that gets thrown away…An area that tries to help them understand that they are valuable and are worth loving. (Participant #4)

They have to live with the consequences of their decision and if we force them into a decision that ultimately leaves them in a worst position than they are already in. (Participant #5)

There needs to be more support for sex workers. They need to have more support so that there is more ways to leave. They are not safe. They can’t go get jobs. We need to build their self worth. We need to help them internally because many of the sex workers have been sexually abused as kids. (Participant #7)

These participants described the importance of emotionally and socially supporting sex workers. One participant suggested that all of society needs to actively help these women by employing them or helping them obtain an education. Another participant emphasized the importance of advocates supporting sex worker self-determinism rather than forcing the sex worker to do what advocates feel is right. One participant suggested that it is the sex workers, not the advocates, who have to live with the ramifications of the actions they take in their lives. Several participants felt that it would be beneficial to focus on empowering sex workers. It has been revealed that many of the sex workers exhibit low self worth due to hardships they have experienced in their lives, such as childhood sexual abuse.

Since many Aboriginal people internalize the oppression they experience as a result of colonialism, support is needed to assist them in their recovery from emotional, psychological, and physical trauma (Hunt, 2013). Providing support to sex workers in order to address this harm can be used as a tool of decolonization. Empowering sex workers and allowing their voices and perspectives to be heard will assist them in
reclaiming their lives. The recognition of the voices and needs of sex workers will also correct the stereotypes and prejudices carried by non-Aboriginal citizens. Other participants mentioned the need for additional programming specified for sex workers.

There needs to be way better social programs. (Participant #1)

What we need for sex workers is general support, addiction counseling, community support, and maintenance of the family unit. (Participant #2)

There needs to be more detox facilities that focus on the street people. (Participant #3)

I think more about harm reduction, which, to me, speaks more about funding for interpersonal and domestic violence, as well as drug addiction and alcohol abuse because I have yet to meet anybody who has been involved in the sex trade that hasn’t experienced one or all of those at the same time...So, if they were able to access better support services for interpersonal violence issues or domestic violence issues where they learn how to care for themselves, learn how to advocate for themselves better, if they had life skills support like how to cook properly and pay bills on time and if they could have a safe housing environment they would be less likely to find themselves in the position that the sex trade provided them with a quick alternative. (Participant #8)

These participants suggested that safety should include programming directed at addressing the issues sex workers frequently experience. Drug and alcohol detoxification facilities were identified as one of the programs that need to be widely available to sex workers since many sex workers struggle with addictions. Another participant recommended programming that would respond to incidents of interpersonal violence. It was thought that this type of intervention would concentrate on helping sex workers develop life skills that could aid them in having a more stable life. One participant stated that offering programs that are directed for specific issues, such as addictions or violence, would help alleviate the condition that often forces women to become involved in the sex
trade. Thus, participants view these types of programs as increasing sex workers options and their quality of life.

4.3 Legal Perspectives

The following section analyzes the participants’ perspectives on legislation related to sex work. The impact the laws have had on sex workers’ lives are explored. This section also examines participants’ responses on how they think sex work in Canada should be regulated.

4.3.1 Strict Penalties

One of the basic themes that emerged from the legal perspectives organizing theme was the need for harsher penalties for johns and pimps. Two participants noted that the sex workers were more likely to be arrested and sentenced than their johns or pimps.

We had a 110 arrests of prostitution-related charges and out of those 80 were for the women. That says it all right there. (Participant #1)

Johns and pimps are not penalized as harshly or as often as sex workers. (Participant #2)

This participant indicated that female sex workers receive more severe penalties than their johns or pimps. The disproportionate representation of female sex workers circulating through the justice system has influenced participants’ perspectives on advocating for a more punitive approach when dealing with the pimps and johns. Several participants expressed an interest in having the Nordic model implemented in Canada.

We need to penalize the men. In Sweden they are given a jail sentence or a fine or sometimes both. So there is a penalty for buying sex and that really has acted as a deterrent in that country. (Participant #1)

I recommend that the government and society start seeing the johns and pimps as predators not just as clients. I am in favour of the Nordic model. My
understanding of the Nordic model is that the johns and pimps are penalized for their involvement in the sex trade industry. (Participant #2)

There needs to be stricter penalties for their pimps because there are minor penalties. There needs to be stronger penalties to discourage living off the avails of prostitutes. (Participant #3)

I would like the law to change to see the sex trade worker as the victim and have it not be illegal for them. I would like the laws to be harsher on the demand side. I guess the Nordic model, which goes after the demand side. (Participant #4)

As discussed in Chapter 2, the Nordic model penalizes the demand for sex by placing sanctions on the johns and pimps (Waltman, 2011). Four participants supported the Nordic model. That approach would decriminalizes sex work, but criminalizes the demand side of sex work. Criminalizing the demand for sex has undertones of radical feminism because it asserts that male supremacy oppresses women. Thus, it suggests that men should be targeted in order to alleviate violence against women. Similar to radical feminists, the participants supported this model because they feel that it is the demand for sex that leads to the marginalization of female sex workers.

Other participants, by contrast, suggested that this model would increase the safety of sex workers by deterring men from purchasing sex. It is suggested that if there were a reduction of johns, there would be a decrease in the number of sex workers. Thus, fewer women would be placed at risk of violence. Since this method targets the johns and pimps, sex workers would be less stigmatized by society because they are not viewed as criminals. The de-stigmatization of work in the sex trade may increase the positive images of sex and ultimately influence people to be more accepting towards these women. This would result in sex workers being socially included in society.
4.3.2 Increased Vulnerability

*Bedford v. Canada* highlighted the vulnerability sex workers face under the previous Canadian law. These concerns were also discussed by some of the participants in this research. Increased vulnerability is another basic theme that is included in the legal perspectives organizing theme. Participants revealed that the Canadian laws surrounding sex work prior to December 20, 2013, increases vulnerability to violence and marginalization. The following participants expressed their concern of the impact the laws have had on sex workers.

Black market conditions that currently exist in Canada make violence risker for sex workers. (Participant #2)

I think they make their lives difficult, and make their lives very unsafe, and means that the police cannot and do not help them. (Participant #6)

Currently, they are seen as criminals, not victims. They are being exploited. They are not worth anything. The laws make things worst than they already are. (Participant #7)

We are really criminalizing the most desperate and the most impoverished. We are not criminalizing those that are maybe a different class of people. (Participant #8)

Seen from this perspective the laws decrease the safety of sex workers by subjecting them to conditions that make their work more dangerous. Illegal sex work creates a black market where workers operate in secrecy and isolation in order to remain undetected by the police. Isolated working environments, result in women going missing, being attacked or murdered without anyone noticing (*Bedford v. Canada*, 2013). The seclusion associated with street work allows johns and pimps to take advantage of the isolation. Several participants alluded to the fact that sex workers are victims who turned to the sex trade industry out of desperation. Consequently, the participants indicated that
sex workers should not be subjected to criminal laws since their involvement was a result of their struggle with poverty and a lack of alternative options.

In the area of legal perspectives, the issue of relationships between the police and sex workers was also raised. Although some participants mentioned that there were positive relationships, most participants expressed concern over police treatment of sex workers. The relationship between the local police and sex workers appears to be mainly negative. The following participants expressed their perceptions about the relationship between sex workers and police officers and how that can impact the lives of these women.

They [police] don’t trust them and the police use them as informants…It is not a positive relationship. (Participant #3)

Overall, I would say that their relationships are such that they are pretty leery and keep their distance. They [sex workers] don’t want to attract attention. They are very vulnerable and are sometimes manipulated and taken advantage of and it is not for their own good. (Participant #5)

They [police] see the girls as a nuisance and causing trouble. Some of the workers are thankful that the police are there because if they weren’t who knows how many more beatings they would experience. But mostly, the sex workers see them as a nuisance and constantly have to be on the look out. (Participant #4)

Police don’t come here unless a sex worker is dying. They don’t care about sex workers. (Participant #7)

The police and sex workers’ relationship appears to be strained. The police are viewed as harbouring negative perceptions of sex workers, such as being regarded as nuisances. This relationship influences the likelihood of reporting crimes. It has been suggested that police discredit sex workers by not taking them seriously if they report an incident. This leads to distrust between police and sex workers. One participant even mentioned that police use sex workers as informants to provide information regarding
other criminal activities. Participant perceptions of the relationship between police and sex workers is similar to how sex workers were not taken seriously when coming forward with knowledge on the murders committed by Robert Pickton (Oppal, 2012). During the Robert Pickton trial, a number of sex workers appeared as witnesses and stated that they do not report victimization because they believe that harassment and violence are perceived by society as normal parts of the sex trade. Nor do they expect sympathetic treatment from the police because of their occupation and prior negative contact with them. The most common reasons that sex workers do not call the police for help was because they believe that the police would not do anything about the incident and fear that they in turn would have been arrested for prostitution-related offences (Oppal, 2012).

4.3.3. Regulation

The last basic theme under legal perspectives is regulation. This theme describes participant perspectives on decriminalization. All but one of the participants felt that the laws in Canada needed to be changed. However, the responses on a preferred structure for regulation of sex work in Canada varied between the participants. As mentioned previously, four of the participants were in favour of the Nordic model where sex work was decriminalized for the sex workers but criminalized the purchase of sex. Some of the participants described aspects of decriminalization as their preferred system of regulation for sex work.

I think in general the people on the street would be happy that they could stand out there and not have to worry about the police picking them up or be suspicious that he is undercover or isn’t he. The charges they face, that fear and that worry about going through the court system. Is that helpful to them? Absolutely not. It is a revolving door. (Participant #5)

I think that it should be self regulated by sex workers, it should be unionized, and it should be respected. I think it is the idea that it is decriminalized in some
measures. All laws on sex workers need to be taken off the books. I also think in terms of expectance of legal activities need to be in place. Sex workers need to form their own unions and decide what works for them. (Participant #6)

Decriminalization can be done and it can be safer because no one is safe with the current laws. (Participant #7)

When we are talking about adults, regulating sex work in the kind of way we talked about in Canada like a red light district would be in some ways, I believe beneficial for sex workers in that they would have a safe location where they could go and other people would see them, and they would have a sense of community. (Participant #8)

Other participants were not supportive of the decriminalization model. These participants did not feel that decriminalization would resolve the violence and marginalization sex workers experience.

To work in a brothel you have to be drug free and there was not one of Pickton’s victims that would have been qualified to work in a brothel. (Participant #1)

While probably women working in street prostitution would like to see less legislative pressure or threat or sanctions against them, I don’t see it as the ultimate answer for these women out on the street. (Participant #5)

But, do I think that the desperate sex worker in her mid 20s, early 30s is going to benefit from having another mark on her wrap sheet, no. But if she has no out and arresting her or you know whether is it once or twice or however many times, she has an opportunity to access services by a result of being arrested, I do agree with that. So I don’t necessarily think it should be decriminalized if attached with decriminalize, if it is keeping it a criminal charge continues to provide access to services. (Participant #8)

These participants felt that decriminalizing sex work would not increase workers’ safety. Instead, they indicated that sex workers would not be eligible to work in brothels because it requires individuals to be sober, and as the information already suggested, many sex workers struggle with addictions. One participant in particular felt that there were positive outcomes associated with criminalization. This participant suggested that the criminalization of sex work provides workers with access to services. According to
this participant, legal sanctions can sometimes be viewed as beneficial because some sex workers are in need of intervention and may not have pursued help without the involvement of the justice system. It is indicated that the justice system can require sex workers on probation can be required to partake in services, such as attending a detoxification facility to seek help for their addictions.

4.4 Global Theme: Structural Violence

The global theme integrates all of the basic and organizing themes. The analysis of the basic themes has resulted in the three organizing themes: social exclusion, safety, and legal perspectives. The structural violence global theme incorporates these three organizing themes. Each of the organizing themes is discussed in relation to their connection to structural violence. Structural violence is defined in this research as social structures and systems that have resulted in the oppression of Aboriginal female sex workers in Regina.

Within the social exclusion organizing theme, marginalization, addictions, violence and interpersonal relationships basic themes emerged as factors that are seen as contributing to structural violence. Although it has been revealed that sex workers are victimized by family members and those with whom they have interpersonal relationships, this can also be viewed as a part of structural violence. The lack of state protection and support of sex worker’s rights and freedoms leads to ongoing forms of structural violence. Structural violence can be understood as oppressing women while putting them in positions where the sex trade is their only viable option for survival. According to the extant literature, Aboriginal women experience more marginalization and higher amounts of violence than do non-Aboriginal women (O’Doherty, 2011;
Discriminatory attitudes towards Aboriginal women also enhance these women’s vulnerability to violence. The fact that participants expressed that Aboriginal women are overrepresented in the Regina sex trade implies that these women are placed in disadvantaged positions where they experience more violence. The threat of violence is even more severe when sex workers struggle with addictions. Members of society then perceive these women as having lower social worth because of their race, social class, and struggle with addictions. The negative social perceptions of these women leads individuals, such as johns or pimps, to take advantage of their lack of social support, which places these women in positions conducive to violence.

Safety, as an organizing theme, consisted of the following basic themes: education, security, and support. Structural violence is viewed as creating situations where sex workers lack access to resources and services. Addressing the issues of safety can reduce the harm the prior laws regulating sex work in Canada have had on these women. Sex workers must have access to opportunities, such as education, addictions counselling, and employment in order to alleviate the social, political and economic strain they currently experience. Participants viewed safety as strategies to assist sex workers in exiting the industry, thus reducing the threat of violence. These interventions were seen as one long-term solution to address the underlying issues that cause harm to sex workers. Establishing safe houses would also help to ensure sex workers have safety, security, and stability in their lives. Providing access to resources through programming and services can reduce sex workers’ struggles with poverty and social exclusion. Increased social acceptance of sex workers will help reduce their marginalization and stigmatization because individuals will gain more respect for them, which may help
alleviate some of the impact structural violence has had on their lives.

Regulation, strict penalties, and increased vulnerability were included in the legal perspectives organizing theme. Laws regarding sex work prior to December 20, 2013, were seen as contributing to structural violence since the individuals involved in the sex trade industry are socio-economically marginalized. Participants viewed the prior laws as contributing to the oppression of sex workers. The laws however, can also be used as a tool to reduce structural violence. Changing the law can alter people’s perspectives of sex workers, thus reducing their discrimination and stigmatization (Lewis, et al., 2013). A more accepting and positive perception of sex workers will decrease the violence they experience because their lives will have a higher value. Furthermore, johns and pimps will be less likely to take advantage of these women because of their greater social worth. This will lead some police officers to be more respectful and concerned if a sex worker is reported missing. Instead of a sex workers’ sexuality being the focus in the media, more positive depictions of sex workers in the media can be a result of their de-stigmatization.

The research findings revealed in the thematic network analysis that violence against street-level sex workers is a widespread issue in Regina. These women who are marginalized are often socially excluded from society. This marginalization leads many of these women to be put in situations, such as sex work, where they are not respected, making them more vulnerable to all forms of violence. Evidence from the participants in this research also indicated that the Canadian laws prior to December 20, 2013, surrounding prostitution-related offences are inadequate in preventing violence or protecting the safety of sex workers. Instead, the historical laws were seen as increasing
risks of violence. As a result of the high level of violence experienced by Regina sex workers, participants emphasized the need for support services that focus on education, addiction counselling, and safe houses that would assist them in exiting the sex trade. Given these findings, Chapter Five will describe the findings in relation to policy implications and possibilities for further research on sex work and safety strategies.
Chapter Five: Conclusion

Previous research conducted in Canada suggested that street-level sex workers are exposed to significant amounts of violence (Sanders et al., 2009). It is also apparent that Aboriginal women are disproportionately represented in street-level sex work. In order to gain a greater insight on the impact of the laws surrounding sex work and the extent of violence experienced by sex workers, interviews were conducted with eight Regina sex worker advocates. This research used thematic network analysis to identify main themes derived from the interview transcripts. The following three organizing themes emerged from the texts: 1) social exclusion; 2) safety; and 3) legal perspectives. The three organizing themes were further distilled into the structural violence global theme. This research has informed our knowledge on the underlying issues surrounding the structural violence that Regina sex workers experience. Some marginalized and socially excluded women become involved in the sex trade. It has also been revealed that local advocates feel that the prior laws were inadequate in addressing sex work and its related issues.

This chapter discusses the significance of the findings that arose from the thematic network analysis. Policy implications are described and a number of strategies are suggested to increase the safety of sex workers. Recommendations for specific areas of further research are also highlighted in this chapter. Lastly, several concluding remarks on the findings of this research are discussed.

5.1 Discussion of Findings

The findings revealed that sex workers in Regina experience a high amount of violence on a daily basis. Advocates for sex workers have long argued that violence is not a necessary component of sex work, but rather a component of society’s formal system of
regulation that facilitates the exploitation and victimization of sex workers (O’Doherty, 2011). O’Doherty (2011, p. 218) states the following:

It is apparent that many people engage in prostitution without experiencing violence. We can no longer assume that violence is an inherent part of prostitution. Therefore, we must examine the issue in far greater detail to determine why some sex workers face inordinately high levels of violence, while others are able to work safely.

O’Doherty’s statement alludes to a larger social issue that increases the violence sex workers experience, rather than perceiving violence as a normal part of the sex trade industry. This perspective aligns with Bedford v. Canada (2013) because the ruling highlighted that the prior laws heightened sex workers’ risk to violence by limiting their means to protect themselves. The various levels of violence can be understood as a result of structural violence. Structural violence and colonial perspectives are associated with patriarchal and societal attitudes, past and contemporary policies and practices imposed on Aboriginal peoples, which promotes the devaluation and social marginalization of Aboriginal women. The overrepresentation of Aboriginal women in the sex trade in Regina needs to be understood through a broader contextualization. Aboriginal women in Canada are at particular risk of discrimination and marginalization as a result of the legacy of colonialism and racism that originated in forced assimilationist policies, including the residential school system, and other discriminatory laws, policies and practices that intersect with and compound gender bias in the justice system (Hunt, 2013).

Sex workers are denied the basic rights and freedoms that should be granted to all Canadian citizens. The social construction of sex work as an immoral path that leads to other contagions, such as drugs and organized crime, portrays sex workers as threatening
the normative values of society (Goodyear & Auger, 2013). This stigma attached to the sex trade is utilized to devalue sex workers. Dehumanizing ideologies that depict sex workers as less than human and unworthy of a response makes them subject to violence and not deserving of the protection and support of the state. The distinction between citizens and individuals involved in the sex trade prevents sex workers from receiving full citizenship rights.

The deviant and immoral constructs of sex workers in our society places these women in a position of economic and social deprivation. A number of services, such as detoxification centers, safe houses, and education, are not always accessible to sex workers because of this marginalization (O’Doherty, 2011). This makes marginalized women, such as Aboriginal women, more susceptible to violence as they may be forced to engage in illicit activities to survive. Aboriginal women’s involvement in the sex trade industry further exploits and places them at higher risks of violence because society focuses solely on the value of the sex workers’ bodies and sexual availability.

The finding that Aboriginal women in Regina are overrepresented in the sex trade as street workers suggests that violence is not only an issue of gender inequality, but also a part of patriarchy, poverty, and colonialism. Moreover, sex workers’ experiences with racism and discrimination affect them at times when they are most vulnerable and least able to protect themselves. The ongoing gendered impact of colonization shows how colonial practices and policies are linked to the current violent situations Aboriginal women are exposed to in the sex trade industry.
5.2 Policy Implications

There is a need for a paradigm shift in how sex work/sex workers are perceived in society and regulated if we are going to effectively address violence against them. This approach should start with grassroots work that could include the unionizing of sex workers, increasing their involvement in policy making decisions, facilitating better relations between police and sex workers, assistance in increasing and sustaining funding for programs, such as education and detox facilities, and focusing on the regulation of sex work.

The first step in improving the lives of sex workers is to redress the effects of colonialism, and educate sex workers and society about their lives. Second, challenging the ways that our society has been historically and institutionally constructed, is key in decolonizing Aboriginal sex workers. Decolonization means to free Aboriginal peoples from the marginalization and discrimination they experience. Decolonization involves the process of relearning who Aboriginal peoples are as people and appreciating the historical culture and present-day offerings. Aboriginal and non-Aboriginal people must both be involved in the decolonizing process, the former in terms of reclamation, the latter in terms of listening and reciprocity. Non-Aboriginal people need to alter their perceptions and actions towards Aboriginal peoples. Unless this occurs, conditions of structural violence and exploitation will continue. One way to implement this is by taking the time to relearn Canadian history. For example, teachers can present a different kind of message to all Canadians other than the prevalent paternalistic model of teaching Aboriginal culture as something historical or primitive.

Another process of decolonization includes individuals reading with a critical
anti-colonial lens. This allows readers to analyze racist ideologies about Aboriginal peoples. This approach can transform the colonized image of Aboriginal women by allowing Aboriginal literature to supply a counter-narrative to dominant ideologies (Hanson, 2012). Allowing literature to supply a re-claimed knowledge on the dominant narratives of discovery and invasion can generate a dialogue between Aboriginals and settlers, such that Aboriginal women might begin to heal from colonial trauma while settlers may be challenged to address their privilege (Hargreaves, 2012). Hunt (2013) suggests that sex workers need to be humanized as a part of the broader Aboriginal movement of regeneration and reclamation of their rights in order to be decolonized. This process would include the recognition of the agency and voices of all Aboriginal peoples, including Aboriginal sex workers. Listening to their voices, experiences, and needs will require individuals within our society to unlearn the stereotypes and assumptions they carry (Hunt, 2013).

A grassroots movement must include all individuals involved in the sex trade to form an advocacy group, such as a union. These groups could provide an opportunity for a third space – where groups from different areas of life find common ground on which to meet - which would allow these men and women to share their stories and support one another. Such groups enable women to come together with other women who have similar lived experiences, thus providing a support network. Sex workers would also be able to safely voice their opinions on strategies that need to be introduced to increase their safety. Sex workers could work together to establish solutions that would increase the safety of their working environments. These groups can also educate the public on the myths and assumptions of the sex trade as a strategy to reduce the stigmatization of sex
workers.

Sex workers involved in a union or a group must also be actively involved in policy development. These individuals currently should be involved in the decision-making process of a new approach to the regulation of sex work and the drafting of new legislation in Canada. Sex workers need to be included in policy development and legal decisions because they are the ones directly affected by the consequences of these actions. Furthermore, policy efforts must be guided by the lived experiences of sex workers and reflect their rights, interests, knowledge, traditions and beliefs. Sex workers could participate in their union or group to ensure that their strategies are heard, such as working towards improved working conditions. This can provide policy makers with a starting point from which they can develop better and safer practices. Thus, sex workers may not be as socially excluded because they would be more involved in the policy-making process.

Another strategy that can increase the safety of sex workers is by enhancing their relationship with the police. Participants in this study suggested that the negative relationship between the police and sex workers further marginalizes them. Although many police officers follow ethical standards and generally believe that their relationships with sex workers are appropriate, many are unaware of how their interactions with these women reinforce discriminatory attitudes. Thus, police officers would benefit from an increased awareness of the lived experiences of this marginalized group. For example, police officers could attend education programs delivered by a sex worker to gain a greater understanding of the struggles of sex workers. Police officers could also attend training or conferences where they are able to hear sex workers share
their stories and lived experiences. With such an understanding, police officers may be better equipped to listen to and assist sex workers. This would create a third space where the police and sex workers could build a more trusting relationship. This in turn would help create a safer environment for sex workers and enable them to report violent incidences to the police.

To address the root causes of violence and marginalization and provide long-term solutions for sex workers, there must be consistent and reliable programs that are specially implemented for sex workers. Specific prevention and intervention efforts may include offering safe, affordable, and supportive housing to women and their children. It is also important to support consistent and long-term funding for education, addictions counselling, and life/job skills programming through ensuring access to flexible public and private resources. Maintaining stable funding will help retain qualified staff and enable them to build trusting and long-term relationships with sex workers. Being able to build rapport between sex workers and the staff in a program will also provide sex workers a familiar and trusting face to turn to in a time of need.

A second strategy is to provide safe houses for sex workers that are geographically removed from the streets where they work. Having safe houses in suburban neighbourhoods provides a sanctuary for sex workers where they will be less likely to be confronted by the temptation of returning. The removal of sex workers from their common associates will reduce the threats from their pimps.

Lastly, the evidence in the research suggests the laws prior to December 20, 2013, was hurting, not helping sex workers in Regina. After the *Bedford v. Canada* (2013) decision, Canadian legislators are compelled to change the laws to reduce the violence
sex workers experience. Although one-half of the advocates promoted the Nordic model, it is recommended that the laws surrounding sex work should be decriminalized. Evidence-based research on the Nordic model suggest that its goals of eliminating harm could expose sex workers to a great risk than they would experience if they could work in a controlled and monitored indoor environment (Lowman, 2013). Criminalizing the demand for sex, but not the sex workers only drives sex work underground, which leaves them with fewer options (Waltman, 2011; Goodyear & Auger, 2013). This would force sex workers into more secluded areas where they are more likely to experience violence. Crago and Clamen (2013) stated that sex workers were accepting more clients that were drunk or aggressive, or whom they would have normally refused due to the low number of clients. Thus, the Nordic model may result in more dangerous conditions for sex workers. Another issue with the Nordic model is that sex workers are often generalized as victims (Lowman, 2013). Lowman (2013) suggests that supporters of the Nordic model neglect to consider that some sex workers choose to become involved in the sex trade. Furthermore, some women prefer the higher pay associated with sex work than a minimum waged job.

No legal regime will completely make sex work safe. However, decriminalization is a viable option that would reduce sex workers’ risk of violence. The decriminalization of sex work would protect sex workers from exploitation while promoting their safety and wellbeing. Decriminalizing sex work removes oppressive criminal regulations that target sex workers and instead recognizes the importance of workplace rights and responsibilities (Lowman, 2013). Under decriminalization, sex workers would experience improved working standards and benefits as defined by labour law (Lowman, 2013). As
suggested in the ruling of *Bedford v. Canada* (2013), sex workers should be able to form unions, hire bodyguards, and work indoors without any legal repercussions. One of the most important aspects of decriminalization is the potential to de-stigmatize sex workers. Lewis, Shaffer, and Maticka-Tyndale (2013) argue that the decriminalization of sex work and changes in policy can foster equal rights, alter attitudes, and reduce stigma. Once sex workers are no longer considered criminals, individual perceptions may alter and society will become more accepting of sex workers. Lastly, if sex workers do experience violence, existing federal provisions that protect against sexual and physical assault or forcible confinement will be used to prosecute their perpetrators (Lowman, 2013).

Those who want to prohibit and outlaw sex work are part of a movement to control the bodies of sex workers, which can be considered a continuation of our colonial legacy of domination (Hunt, 2013). Instead, sex workers must be free to make decisions about their own bodies, including making money through sexual acts. Changing the law in and of itself will not solve violence against sex workers. However, it is a starting point that addresses one factor that leads to their increased safety. Sex workers should be respected and supported if they choose to remain or leave the industry. Sex workers deserve to have their choices respected and be able to work safely, without fear of violence, discrimination, and social stigma.

5.3 Further Research

This research has revealed that sex workers in Regina are exposed to high levels of marginalization and violence. Furthermore, the participants revealed that the Canadian laws prior to December 20, 2013, are inadequate in addressing the harm sex workers are exposed to, thus, there is still a need for further research. This research responds to
Hunt’s (2013) call for more work to be done in smaller Canadian cities and towns. Further work should be done in these locations as well as in more rural and isolated areas in Canada to provide a more complete understanding of the violence sex workers experience. This type of research could identify common themes that increase sex workers exposure to violence in different cities. This might help advocates promote the general need for natural programming and resources to respond to the underlying issues involved in sex work, such as addictions, poverty, and marginalization.

The murders of eight Aboriginal women in Canada between September 2013 to February 2014, highlights the need to continue scholarship and grassroots perspectives to address the safety and needs of all Canadians (Perreault, 2011). Future research using critical feminist theory should be conducted directly with sex workers to gain their knowledge about their perspectives on regulation. Interviewing individuals most affected by sex work laws provides sex workers a platform to share their insights on how to positively benefit their lives. The opportunity for sex workers to be actively involved in research could empower them and provide them with the capacity to make an impact, both on their own personal lives as well as on legislation. These findings could provide new insights on strategies and solutions to increase sex workers’ safety. For example, sex workers might have different priorities or opinions on what could increase their safety compared to those expressed by advocates.

5.4 Conclusion

This research has focused on Regina advocates’ perspectives on the regulation of sex work in Canada, the extent of violence sex workers are exposed to and potential safety strategies. As highlighted in Chapter One, there has been a long history of the
marginalization and oppression of sex workers. This research was conducted to provide a better understanding of how to address the underlying issues of violence and its relationship to sex work. The findings of this research indicated that sex workers in Regina are primarily Aboriginal women who are struggling with poverty, marginalization, and addictions. The high levels of violence sex workers are exposed to at a personal level can be seen as part of a much broader problem—structural violence. The physical, emotional, and sexual violence sex workers experience is not seen as an issue related to sex work, but a larger social issue involving colonialism, racism and gender inequality. As a result, advocates in Regina felt that the safest option for sex workers was for them to exit the sex trade. They emphasized the importance of consistent and long-term funding for isolated safe houses and education programs that empower sex workers.

Furthermore, the Canadian laws prior to December 20, 2013, were inadequate in increasing the safety of sex workers and reducing the threat of violence. All of the advocates perceived the prior laws as infringing the rights and freedoms of sex workers and highlighted the need for legislative change. Although half the participants advocated for the Nordic model, this research suggests that sex work should be decriminalized in Canada in order to alleviate marginalization and stigmatization, while increasing sex workers’ rights and safety from violence. It is understood that changing the law will not completely remove the threat of violence for sex workers, however, it is a step in the right direction. Removing the legal threat while increasing programming that addresses the root causes of oppression and involving sex workers in strategies and solutions are part of a larger plan to end violence against sex workers. In conclusion, the
voices of sex workers must be the ones informing service providers and policy makers about what increases their safety. Speaking with advocates and sharing their perspectives is a first step in that direction.
References


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J.J. (2013). We speak for ourselves: Anti-colonial and self-determined responses to young people involved in the sex trade. In E. Van Der Meulen, E.M. Durisin, & V. Love (Eds.), *Selling sex: Experience, advocacy, and research on sex work in Canada* (pp.82-100). Vancouver, BC: UBC Press.


**Legislation:**

Legal Decisions:

*Bedford v. Canada* (Attorney General), (2013) SCC 72
Appendix A: Research Ethics Board Approval

DATE: July 29, 2013

TO: Kendall Laczkó
8033 Shortgrass Bay
Regina, SK  S4Y 0A5

FROM: Dr. Larena Hoeber
Chair, Research Ethics Board

Re: Advocates’ perspectives on decriminalization and harm minimization for female street prostitutes (File # 04S1314)

Please be advised that the University of Regina Research Ethics Board has reviewed your proposal and found it to be:

☑ 1. APPROVED AS SUBMITTED. Only applicants with this designation have ethical approval to proceed with their research as described in their applications. For research lasting more than one year (Section 1F), ETHICAL APPROVAL MUST BE RENEWED BY SUBMITTING A BRIEF STATUS REPORT EVERY TWELVE MONTHS. Approval will be revoked unless a satisfactory status report is received. Any substantive changes in methodology or instrumentation must also be approved prior to their implementation.

☐ 2. ACCEPTABLE SUBJECT TO MINOR CHANGES AND PRECAUTIONS (SEE ATTACHED). Changes must be submitted to the REB and approved prior to beginning research. Please submit a supplementary memo addressing the concerns to the Chair of the REB. **Do not submit a new application.** Once changes are deemed acceptable, ethical approval will be granted.

☐ 3. ACCEPTABLE SUBJECT TO CHANGES AND PRECAUTIONS (SEE ATTACHED). Changes must be submitted to the REB and approved prior to beginning research. Please submit a supplementary memo addressing the concerns to the Chair of the REB. **Do not submit a new application.** Once changes are deemed acceptable, ethical approval will be granted.

☐ 4. UNACCEPTABLE AS SUBMITTED. The proposal requires substantial additions or redesign. Please contact the Chair of the REB for advice on how the project proposal might be revised.

Dr. Larena Hoeber

cc: Dr. Michelle Stewart – Justice Studies
**supplementary memo should be forwarded to the Chair of the Research Ethics Board at the Office for Research, Innovation and Partnership (Research and Innovation Centre, Room 109) or by e-mail to research.ethics@uregina.ca**
Appendix B: Participant Consent Form

**Project Title:** Advocates' perspectives on decriminalization and safety strategies for female sex workers

**Researcher(s):** Kendall Laczko, Graduate Student, Justice Studies, University of Regina, laczko2k@uregina.ca

**Supervisor:** Dr. Michelle Stewart, Justice Studies, Michelle.Stewart@uregina.ca, 306-585-4873

**Purpose and Objective of the Research:**

- This research investigates advocates perceptions about the role of decriminalization as it relates to the safety of female street-level sex workers and the extent of violence experienced by street-level sex workers.

**Procedures:**

- This study will involve a semi-structured interview.
- Following consent, the interview will take approximately 30 minutes to complete.
- An audio recording and interview notes will be used to increase the accuracy of this study.
- Please feel free to ask any questions regarding the procedures and goals of the study or your role.

**Potential Risks:**

- As all data collected will be anonymous, there is limited risk associated with participating in this research. However, due the nature of the discussion, there is the potential for emotional or psychological stress. If you are getting upset during the course of the interview please let the researcher know so that we can decide if it is best to terminate the interview or reschedule. You are not under an obligation to continue the interview and you have the right to withdraw at any time.
- Please contact the Mobile Crisis Service (306-757-0127) if you need additional assistance.

**Potential Benefits:**

- The potential benefit of this research is to fill in a gap in the academic literature on sex work in smaller Canadian cities, such as Regina. This research will provide an understanding of the working lives of sex workers in Regina. The results of this study will contribute to policy knowledge on possible strategies and solutions to increasing the safety of sex trade workers in Regina.
Confidentiality:

- Pseudonyms (ex. Participant A) will be used during both the data collection and the final written thesis to increase confidentiality and protection of the participants.

- **Storage of Data:**
  - During data collection, all data will be stored on a password protected computer or in a locked location.
  - Following thesis defense all data collected, such as recordings and interview notes will be stored and locked on campus by the supervisor for the duration of five years.
  - At the end of five years, all data will be destroyed.

Right to Withdraw:

- Your participation is voluntary and you can answer only those questions that you are comfortable with. You may withdraw from the research project for any reason, at any time without explanation or penalty of any sort.
- Should you wish to withdraw, the information collected will be destroyed at that time.
- If you wish to withdraw from the study, please withdraw immediately after or 24 hours after you have completed the interview. After this time, it is possible that some form of research dissemination will have already occurred and it may not be possible to withdraw your data.

Follow up:

- To obtain results from the study, please contact the researcher via email: laczko2k@uregina.ca
- When the research is completed all participants will be sent an electronic copy of the completed thesis.

Questions or Concerns:

- Contact the researcher via email: kendall.laczko@gmail.com
- This project has been approved on ethical grounds by the U of R Research Ethics Board. Any questions regarding your rights as a participant may be addressed to the committee at (306-585-4775 or research.ethics@uregina.ca). Out of town participants may call collect.
**Consent**

**SIGNED CONSENT**

Your signature below indicates that you have read and understand the description provided; I have had an opportunity to ask questions and my/our questions have been answered. I consent to participate in the research project. A copy of this Consent Form has been given to me for my records.

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*A copy of this consent will be left with you, and a copy will be taken by the researcher.*
Appendix C: Outline of Semi-Structure Interview Questions

1. What is your role as an advocate for street-level sex trade workers?

2. What are your perceptions about the type of violence street-level sex workers experience?

3. What is the most common issue concerning violence sex workers raise to you as an advocate?

4. What is your perception on the extent of violence street-level sex workers experience in their day-to-day lives?

5. Who do you think are most often the perpetrators of the violence the sex workers experienced?

6. What do you do if a sex worker comes to you after an incident involving violence occurs?
   a. Is there any interaction with the police service?

7. How do you think the current legal status of sex work in Canada has impacted female street-level sex workers?

8. How do you think sex work in Canada should be regulated?

9. What do you think decriminalization in Canada would look like?

10. What do you think would be possible strategies or solutions to increase the safety of sex trade workers?

11. What do think would make it easier for sex workers to leave the sex trade industry?