

BODY RUB CENTRE LICENSING

RESEARCH REPORT

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Acknowledgement

We are deeply grateful to the many body rub practitioners involved in this research for their willingness to openly share their thoughts, ideas, experiences and suggestions. We also appreciate the BRC owners and managers and community stakeholders who generously shared their time, perspectives and ideas for change.

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1. PROJECT OVERVIEW

In 2019, the City of Edmonton's Community and Public Services Committee passed the following motion:

That Administration prepare a report on the merits of a five year exit strategy on licensing body rub centres including information on and from education campaigns and existing strategies to reduce demand such as john school, among others.

The authors of this report were hired to independently design and conduct research on these topics and to make recommendations based on the research findings.

1.1. Project Goals

The goals of this research were to:

1. Identify the merits and challenges of the City of Edmonton withdrawing from licensing body rub centres (BRCs) and practitioners over the next five years.
2. Compile research on evidence-based effective practices to reduce buyer demand.
3. Make recommendations for action, based on the research findings.

1.2. Research Process

The research was conducted from December 2019 to April 2020. Data was gathered through the six strategies listed below. Full reports for each, with details on methodology and findings, can be found in the identified Appendixes.

1. Interviews and focus groups with 69 body rub practitioners, BRC owners/managers, and community stakeholders. (Appendix I)
2. A survey of body rub practitioners, with 169 responses. (Appendix II)
3. A scan of licensing practices in five big cities in Canada. (Appendix III)
4. Review of literature relevant to licensing of BRCs in Canada. (Appendix IV)
5. Review of perspectives of sex worker advocacy groups in Canada. (Appendix V)
6. Review of strategies to reduce buyer demand for sexual services. (Appendix VI)

1.3. Language and Conceptual Distinctions

This report uses the terms sex worker, sex industry, sexual services, practitioners and other terms that are found in the literature on licensing. While objections may be raised that terms like 'sex work' do not fully capture the exploitation faced by women who are coerced, trafficked or forced to provide sexual services, we use this language to be consistent with the literature.

In addition, this research reveals that there is no singular experience of involvement in the sex industry: levels of agency, motivations, experiences and perspectives are diverse and reflect nuances in the lives and identities of sex workers. Conceptual distinctions can therefore be made between human trafficking, sexual exploitation, and sex work. Though gendered systems of power impact agency and labour, we have tried to avoid the problematic tendency, noted in literature, to reduce all sex work to trafficking and sexual exploitation.

2. INTRODUCTION

The sex industry in Canada is complex and calls for a range of legislative, financial and social support responses on the part of governments. As the most local order of government, municipalities have an important role to play in addressing issues related to the sex industry, within the parameters of their scope and resource capacity. In Canada, municipalities primarily focus on licensing or bylaw regulations to address components of the sex industry, with some also offering direct social support and grant funding for relevant community organizations.

In the following sections we provide a summary of findings related to the significant themes that emerged from the research and recommendations relevant to a municipal scope.

3. RESEARCH FINDINGS: MAIN THEMES

The main themes identified in the research include: safety; health and health supports; quality of life; licensing in Edmonton and reducing buyer demand.

3.1. Safety

Without exception, body rub practitioners in Edmonton identified safety as their primary concern and asserted that BRCs are safer than other spaces where sex work is performed. This position is echoed in literature on licensing in Canada and sex worker advocacy literature. In a BRC there are cameras that capture client images, practitioners are never alone so they can call for help, and practitioners can support each other and share information that helps keep them safe.

The Community Safety Liaison and Municipal Enforcement Officer bring information that is important to practitioners and if a practitioner goes missing, someone at work will miss her and seek help. For practitioners who are not fluent in English, working in a centre is safer because they can access a translator who can negotiate what is allowed in the session and communicate expectations to the client. Working in a centre also allows women to see and report if a new practitioner appears underage or trafficked and practitioner licensing provides another way to ensure they are of age and working willingly.

Results of a body rub practitioner survey demonstrate that the vast majority of respondents view BRCs as better for their health, safety, information access and financial wellbeing.

“ I have worked in all environments – and I absolutely 100% feel safest in a body rub centre. ”

“ It is very, very clear that if the purpose is to minimize our harm - it [ending licensing] is going to have the absolute opposite effect. ”

Comparing working in a licensed BRC to doing this work outside a licensed BRC (i.e. escort, out calls)

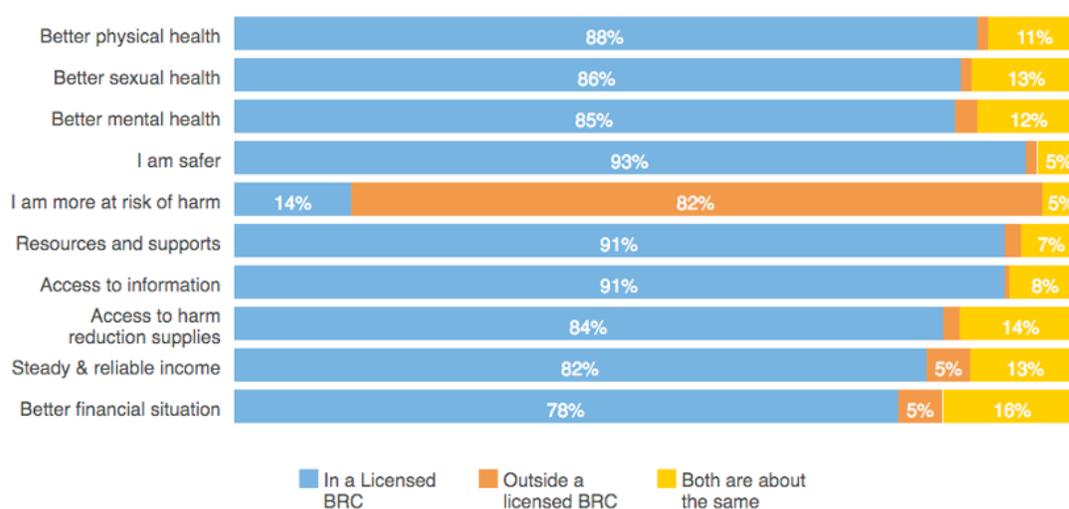


Figure 1: Survey result - Comparison of working in a licensed BRC and non-licensed centre

Working in a BRC is not a guarantee of safety, however. Sex work puts women at a heightened risk of violence. Sex worker advocacy groups call for police to take violence against sex workers seriously and focus their efforts on solving those crimes, rather than discouraging sex work.

Some stakeholders argued that licensing of the centres themselves might send a mixed message that sexually exploiting women is okay. This position has some support in the literature, particularly from anti-trafficking advocates. Advocates also argue that clients of BRCs may be confused and assume that City licensing means buying sexual services is not illegal. That said, as a harm reduction strategy, licensing contributes to worker safety and enables City outreach and information sharing that can support women.

RECOMMENDATION 1

The City should continue to focus on a harm reduction approach: licensing body rub centres and practitioners while providing support from City staff.

Rationale: Licensing and strategies to reduce harm for body rub practitioners are critical to practitioner's safety and can open opportunities for non-judgmental dialogue.

RECOMMENDATION 2

Any changes to licensing regulations or enforcement should be shaped by practitioner's lived experiences and carefully consider safety implications.

Rationale: Practitioners identified immediate safety and security as central concerns and noted that they feel much safer working in a BRC than in other spaces.

RECOMMENDATION 3

The City should build on the successful development of positive relationships with body rub practitioners to develop formal guidelines for the Edmonton Police Service (EPS) and City administration similar to Vancouver's Sex Work Response Guidelines.

Rationale: Practitioners in BRCs in Edmonton indicated that when violence occurs, they can access police services, which is a reflection of their positive relationship with the City. Formal guidelines could help institutionalize this relationship across City functions.

3.2. Health and Health Supports

As indicated by Figure 1, practitioners assert that their physical, sexual, and mental health is better supported in a BRC than when working in another space. Having access to accurate evidence-based sexual health information and the testing and supports provided in and coordinated by licensed centers is an advantage of working in a BRC. In addition, practitioners are better able to manage their health as a result of the information received through the City's licensing process, particularly the mandatory information session. BRCs support practitioner health by providing the infrastructure to support maintenance of proper hygiene. They also create a space for development of a social support system. Practitioners can debrief problematic sessions with one another, build a sense of camaraderie, and support each other in decision-making, particularly when saying no to a client.

Practitioners repeatedly pointed to the practical strategies, safety information, resource tips and personal support they receive from one another as important aspects of working in a licensed BRC. Sex worker organizations almost unanimously advocate for sex worker access to existing provincial labour and occupational health and safety protections to ensure sex worker health is protected. Stakeholders recognized the importance of licensing for providing an opportunity to share information with practitioners, though they were divided on the aim of that information – to support practitioner health so they are not as impacted by ongoing participation in sex work or so that they are stronger and better able to exit the industry.

“ Without the environment of centres, the girls wouldn't necessarily know and protect their sexual health ”

“ Have a great support system here...If independent - have no support ”

RECOMMENDATION 4

The City should strengthen existing information pathways between City Administration and BRC practitioners by expanding information offerings and hiring an additional Community Safety Liaison who can speak Mandarin and/or Cantonese.

Rationale: Licensing and outreach by Community Safety Liaison and Municipal Enforcement Officers provide a pathway for sharing evidence-based health information with practitioners.

RECOMMENDATION 5

The City should explore coordinating the adoption of health and safety guidelines for BRCs and practitioners in a voluntary manner or regulated through licensing requirements.

Rationale: Practitioners expressed interest in seeing stronger implementation of provincial occupational health and safety regulations in BRCs.

RECOMMENDATION 6

The City should identify additional approaches to share information on health strategies created by and for practitioners alongside evidence-based information from clinicians.

Rationale: Health maintenance strategies unique to sex work are shared informally amongst practitioners in BRCs and are extremely important for their health.

RECOMMENDATION 8

The City should identify ways to enhance non-judgmental mental health information and supports for practitioners who are not currently considering exiting the sex trade.

Rationale: The mental health of practitioners is important to consider alongside physical and sexual health.

3.3. Quality of Life

Body rub practitioners spoke extensively about the advantages of working in a BRC compared to providing services in another setting. These advantages include financial stability, the ability to support their families, better working conditions, and the ability to protect their identities. Access to consistent and reliable income allows practitioners to be independent and to build a future for themselves and their families. For some first generation immigrant women who have limited language skills and few options for well-paid employment, working in a BRC provides the consistent income they need to support themselves and their families. Immigrant women talked about the need to sacrifice their own lives for the betterment of the next generation.

In a licensed BRC, women are able to work regular hours and have some control over their schedules and the number of hours they want to work. This reduces stress and anxiety, allows them to look after their own physical and mental health and contributes to a better work/life balance. Many women spoke about how the relative stability of working in a BRC enables them to spend more time with their children and to provide financial security for their children. Practitioners working in a licensed BRC are also better able to protect their identity, which in turn promotes safety and avoids stigma for their families. Owners also felt that overall, working conditions for practitioners are better in a licensed centre than in a non-licensed environment. Some owners shared examples of the support they provide to practitioners, such as access to business services and emotional support.

“ *My physical health, my mental health, everything. I have time to focus on myself, my family and put myself in a better situation for the future* ”

RECOMMENDATION 7

The City should continue to foster collaborative and respectful relationships with BRCs.

Rationale: A collaborative relationship ensures that practitioners in BRCs see police and City staff as resources they can access for health and safety information, rather than seeing them as punitive enforcement mechanisms to be feared and avoided.

RECOMMENDATION 9

The City should ensure any future licensing changes include careful attention to supporting a stable work environment for practitioners and recognize the importance of regularity and structure to their lives and their family's lives.

Rationale: Practitioners are seeking to create stability and structure in their work in order to improve their quality of life.

RECOMMENDATION 10

The City should ensure any future licensing changes consider the wider financial impacts on housing, food security, childcare and educational expenses that are supported through sex work and that provide quality of life for the entire family.

Rationale: Practitioners play an important role in providing for their families.

3.4. Licensing in Edmonton - Approaches and Opportunities

Research findings indicate a high degree of support for the continuation of BRC licensing in Edmonton. A large majority of practitioner survey respondents (93%) as well as practitioner focus group participants want Edmonton to continue to offer BRC and practitioner licences. More than half of survey respondents (66%) **did not** think that changes to licensing are needed.

Do you think the City of Edmonton should make changes to the current requirements for licensing body rub practitioners and centres?

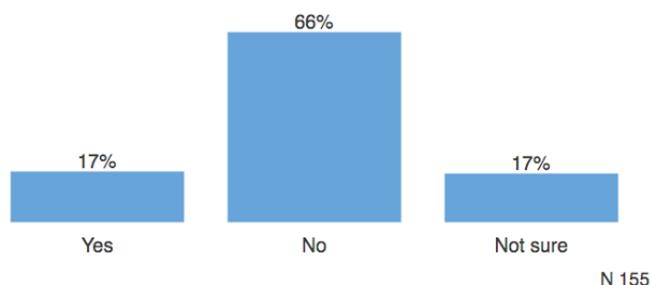


Figure 2: Practitioner survey - Changes to current licensing requirements

“ Harm reduction -it works and save lives. Licensing is doing massive amounts of harm reduction for these women

”

Body rub practitioners strongly supported Edmonton's approach to body rub practitioner and centre licensing and noted it is safer to work in a BRC in Edmonton than it is in other cities they have worked in. Practitioners shared experiences of working in other cities where they were in more dangerous situations, financially exploited by agents and targeted by police who harassed them even though selling is now decriminalized. Owners believed that, based on what they knew, Edmonton's licensing model was preferable to those used in other Canadian cities and that other cities are building on Edmonton's model. Some stakeholders pointed to Edmonton as a national leader in implementing licensing that is based on a harm reduction approach and that the City should augment, not replace, its licensing approach. Other stakeholders however, felt that the City has reached limits in what it can do to create safety and harm reduction and should explore alternatives. BRC bylaws provide a certain amount of protection to practitioners but do not preclude the potential for mistreatment and harm. Further, licensing only benefits the small percentage of sex workers who work in BRCs.

Practitioners, owners and stakeholders provided a number of suggestions for strengthening licensing in Edmonton. For example, increased oversight and enforcement of current licensing regulations in BRCs could ensure compliance. Although the majority of practitioners felt that licensed BRCs create a safer work environment, some practitioners and stakeholders cited owner practices that do not adhere to regulations and that negatively affect practitioners.

Practitioners also provided suggestion for more flexible, equitable and clear licensing processes and regulations. Some practitioners felt that the requirement for a criminal record check was not necessary, too cumbersome, too costly for some, and could potentially create a permanent record of their work that might impact their children and families in the future. Practitioners suggested a 2-4 week grace period for obtaining a criminal record check could be helpful.

Owners also provided licensing related suggestions. They expressed frustration with licensing costs relative to other businesses, frequent changes to regulations and process, lack of communication about these changes, and zoning requirements that make it difficult to find a business location. Owners are required to provide a considerable amount of information to the City on an annual basis and recommended that this process be converted to a three-year cycle instead. Overall, owners feel that they are not always treated the way that other businesses are, and that their licensing related issues are not given enough consideration by the City.

In recent years, there has been a considerable increase in the number of spas that offer services similar to those provided in BRCs but are inappropriately licensed as health enhancement centres. Owners of these inappropriately licensed centres are not held accountable for BRC regulations that support the safety of practitioners and practitioners in these centres do not have any recourse if owners are mistreating them. Practitioners felt that the City should consider strategies for inspecting and regulating these businesses. Stakeholders also felt that more effort should be directed to the safety of practitioners working in the large number of inappropriately licensed environments in Edmonton.

Finally, practitioners, owners and stakeholders all wondered about the City's impetus for revisiting the issue of BRC licensing and reopening this conversation. Practitioners expressed a lot of concern about a potential decision to withdraw from licensing and reiterated the negative impact this decision would have on them. Owners also expressed frustration and felt that the City is 'backpedalling' on previous licensing decisions. Some stakeholders felt that this discussion was needed but that the scope of the discussion should be expanded to a broader and ongoing conversation about sex work in Edmonton.

“
I think Edmonton is ahead of the game compared to other cities... We have that support system of being licensed
 ”

RECOMMENDATION 11

The City should consult the appendices in this report to review practitioners' and BRC owners' extensive feedback on licensing regulations and identify licensing improvements for implementation.

Rationale: The City's harm reduction approach used to design and implement BRC and practitioner licensing has clearly benefited practitioners and could be enhanced.

RECOMMENDATION 12

The City should engage practitioners to explore a strategy for protection of privacy that supplements the legal parameters already in place.

Rationale: Given the stigmatized nature of the industry, information required in the licensing process can cause distress for workers and public records can result in barriers for workers wanting to exit the sex industry.

RECOMMENDATION 13

The City should consider increased outreach by the Community Safety Liaison and Municipal Enforcement Officers to assess BRC compliance and to engage practitioners in open-ended conversations.

Rationale: Practitioners emphasized the importance of City supports and the need to hold BRC owners and managers accountable for providing a safe and supportive work environment.

3.5. Reducing Buyer Demand

Given the reliance practitioners and owners have on clients, it is not surprising that they had little input into strategies for reducing buyer demand. Some stakeholders shared ideas and pointed to enhancement to local programs as a strategy that might be helpful. The bulk of our findings on reducing buyer demand come from the literature where we sought information on evidence-based practices that could be adapted for an Edmonton context.

The strategy to reduce buyer demand referenced most often in the literature is national legislation that decriminalizes selling sexual services. This legislation is supported by a reframing from seeing women as offenders for selling sexual services, to seeing women as either economic or social victims and men as offenders for buying sexual services. In this move there is a tendency to reduce all sex work to trafficking or sexual exploitation.

At the municipal level, licensing and zoning are often used to regulate sex work. Some critics say licensing legitimizes the sex industry and sends a message that buying and selling sex is condoned but where licensing is enforced and implemented rigorously, and combined with a commitment to anti-trafficking and strict surveillance of purchasers, it can serve to reduce demand.

Many research studies on buyer demand seek an in-depth understanding of buyers in order to develop effective interventions. Strategies most often employed to deter buyers include education and awareness efforts aimed at buyers, potential buyers and the general public as well as penalties and enforcement strategies used to sanction buyers and deter potential buyers.

The most common educational interventions are 'John schools', as they are commonly described. These educational interventions target men who have been arrested for buying sexual services, and are meant to dissuade men from buying in the future. There is a very little data on the effectiveness of John schools and they have a limited reach as they only include a small percentage of buyers and only after they have made the decision to buy sexual services. Some authors suggest a school-based educational campaign, similar to bullying prevention efforts, would be helpful in addressing sexual exploitation. There are a few studies that explore educational models or the effectiveness of school-based education on buyer demand. Public awareness and education campaigns are another category of interventions that are commonly used to reduce buyer demand. Awareness programs typically target current and potential buyers to draw attention to the legal implications, penalties and harms associated with buying sexual services. Campaigns are also used to inform the broader public of these issues, to lower public tolerance of commercial sex and to gain community support for law enforcement interventions.

RECOMMENDATION 14

The City should increase enforcement to ensure that spas offering body-rub services are correctly licensed and held to standards and regulations associated with BRCs.

Rationale: Owners and practitioners noted that some centres are licensed as health enhancement businesses but operate as body rub centres and they expressed concern for the safety of practitioners in these workplaces, which are not held to BRC regulations.

Programs aimed at changing social norms, particularly those that raise awareness of the coercion, manipulation and harm of women selling sexual services, have an important role to play in reducing buyer demand but they are problematically short lived, local, underfunded and not often evaluated substantially to determine their effectiveness.

With the idea that reducing buyer demand requires adequate penalties that deter potential buyers, a number of strategies and accompanying enforcement efforts have been developed to penalize buyers. One of the most common approaches is the reverse sting whereby police may pose as a seller in order to catch buyers. While reverse stings can have the effect of reducing the likelihood of future buying for those arrested, the number of buyers arrested is small and the reverse stings can be resource intensive. Confiscating buyer's vehicles and keeping them or charging money for their return is another common strategy, as is tracking potential buyers in a database, limiting buyer's ability to be in zones where sexual services are for sale, and shaming buyers through public identification. Finally, more contemporary efforts focus on the use of technology to identify, arrest and deter buyers. Each of these penalties and enforcement strategies are impacted by local legislation, levels of enforcement and public support for the use of punitive measures. They are rarely thoroughly evaluated although research from the UK suggests that while most public shaming strategies are not effective, fines, threat of arrest and warnings would appear to be more effective.

RECOMMENDATION 15

The City should consider systems level reforms when designing social change strategies to reduce sexual exploitation.

Rationale: Efforts to reduce buyer demand must recognize structural inequities influencing sex workers' lives, including the feminization of poverty, gendered pay inequities, and gender-based violence.

RECOMMENDATION 17

The City should support evaluation of existing community-based programs and EPS strategies to reduce buyer demand, factoring in their dependence on law enforcement resources.

Rationale: It is important to take an evidence-based approach to reducing buyer demand, but there is currently a lack of research on effectiveness of strategies employed in Edmonton.

RECOMMENDATION 16

The City should harness body rub practitioners' nuanced knowledge of the sex industry and their networks within and outside of BRCs by engaging them in developing strategies to identify trafficked persons.

Rationale: Efforts to reduce buyer demand are often intertwined with efforts to address human trafficking and sexual exploitation. Practitioners are knowledgeable about the distinctions and could assist the City to address trafficking.

RECOMMENDATION 18

The City should incorporate messaging aimed at reducing sexual exploitation into existing initiatives and consider an awareness strategy that targets buyers explicitly seeking trafficked women and girls and those committing violence when buying consensual sexual services.

Rationale: Awareness efforts to reduce buyer demand are an important component of a municipal response to the sex industry, but not all buyers are equally exploitative. A targeted approach may be most effective in addressing sexual exploitation and violence.

3.6. Additional Recommendations

In addition to the key considerations for decision making relevant to the themes that have been presented in the previous sections, the following are some additional broader considerations that arose from the research.

RECOMMENDATION 19

Given that Edmonton’s licensing approach has only been in place for 5 years, the City should consider if now is the best time to make a licensing change.

Rationale: The current policy landscape is shifting, with federal legislation on prostitution that has not yet been fully tested, the release of Alberta’s action plan to address trafficking, and the unknown impacts of the COVID-19 pandemic on citizens, governments and the economy.

RECOMMENDATION 21

The City should consider developing or leveraging existing collaborative mechanism to bring stakeholders to the table, including both past and current sex workers.

Rationale: Governments, community members, community organizations and body rub practitioners all have a role to play in addressing the sex industry in Edmonton. Information sharing and coordination of efforts can help ensure the desired goals of licensing are achieved.

4. CONCLUSION

Research findings suggest a clear and for the most part consistent message: participants identified few merits of a five-year exit strategy on licensing BRCs. Findings from the qualitative data are strongly aligned with survey findings and results of the literature reviews. All point to the many safety, health, social and quality of life benefits of licensing body rub centres and practitioners. There are, however, a small number of community stakeholders and anti-trafficking organizations who call for an end to licensing, suggesting it confuses clients and the public, does not create safety, and serves as a smokescreen for illegal activity. This perspective stands beside the vast majority of data from this research that supports the continuation of licensing.

RECOMMENDATION 20

The City should recognize the distinctions between consensual sex work and trafficking, provide supports for sex worker safety while also tackling sexual exploitation, and develop a communications strategy to educate the public on the benefits of harm reduction strategies.

Rationale: Debates on licensing and other sex work regulations can easily become oppositional discussions that limit creativity and innovation; however, strategies to address exploitation can align with existing licensing regimes. Public support for a harm reduction approach is helpful.

RECOMMENDATION 22

The City should create or support opportunities to bring body rub practitioners and/or sex workers together to share information, discuss issues and identify opportunities for collaboration.

Rationale: There are few opportunities for sex workers to have informal conversations and build community in accepting and welcoming environments.

Appendix I: Focus Group and Interview Data

The sections below report a summary of findings from the focus groups and interviews conducted with owners, practitioners and key stakeholders.

Overview

Qualitative data was gathered by conducting focus groups and interviews with practitioners, owners and key stakeholders to understand the impacts of a potential 5-year withdrawal from licensing. The scope for the qualitative data collection was to understand the benefits and challenges of licensing, what could be improved should the City continue to license, what would be the impact and factors to consider in a 5 year exit strategy should the City stop licensing, and to solicit ideas about approaches in other cities that Edmonton could learn from.

Recruitment

Invitations for the focus groups were sent out to all licensed body rub practitioners who had previously given permission for the City to contact them. Information was also sent to the administrators of Canada Adult Fun (CAF) to be posted on their service provider forum and shared with body rub practitioners during regular BRC visits by the Community Safety Liaison and Municipal Enforcement Officers, accompanied by an interpreter from The Family Centre, when required. Using a snowball recruitment strategy, practitioners were asked to share information about the focus groups and recommend others to attend and often this happened via owners and service providers sharing the invitation on their social and other networks such as group text chats, social media, etc. Interview recruitment took place through in person invitations from the safety liaison, who has established and trusting relationships with practitioners.

Data Collection

Six focus groups were held between February 3rd and March 3rd, 2020: one with BRC owners, three with body rub practitioners, and two with key community and City stakeholders. A translator provided real time translation services for Mandarin and Cantonese speaking participants at two of the practitioner focus groups and one of the owner focus groups.

Practitioners, the vast majority of whom have worked both inside and outside licensed BRCs, were asked the following questions:

1. How would you compare working in a licensed BRC to working outside a BRC (i.e. escort or out calls, etc.)? What are the advantages and disadvantages?
2. Could licensing requirements be changed to address the disadvantages? How?
3. If the City stopped licensing, how would you be impacted?
4. Are you aware of approaches that other municipalities take or other jurisdictions that might be effective for Edmonton to explore?
5. Is there anything else you'd like to share?

Owners were asked a similar set of questions:

1. What are the advantages and disadvantages of licensing for you, as owners?
2. Could licensing requirements be changed to address the disadvantages? How?
3. If the City stopped licensing, how would you be impacted?
4. Are you aware of approaches that other municipalities or jurisdictions take that might be effective to explore for Edmonton?
5. Is there anything else you'd like to share?

Stakeholders were asked the following questions:

1. What are the advantages and disadvantages of licensing for practitioners?
2. Could licensing requirements be changed to address the disadvantages? How?
3. What impact would it have if the City stopped licensing?
4. Are you aware of approaches that other municipalities take or other jurisdictions that might be effective for Edmonton to explore?
5. One of the strategies that has been suggested by Council is to focus on reducing buyer demand. Are you aware of any programs or strategies to reduce buyer demand?
6. Is there anything else you'd like to share?

Interviews with practitioners and key stakeholders took place between February 5th and March 6th, 2020 using the same questions as the focus groups. Body rub practitioner interviews were conducted on-site at BRCs with support from a translator, where needed. Interviews with key stakeholders were conducted by phone.

Participation*

In total, 69 participants informed the qualitative research:

	Body Rub Practitioners	BRC Owners	Key Stakeholders
# of focus group participants	32	10	18
# of interview Participants	4	0	5
Total # of participants:			69

* Note: many owners are also body rub practitioners. They were asked to speak from an owner's perspective in the focus groups, though we recognize that this is an artificial distinction.

Methods

Focus groups and interviews were recorded with permission from participants and also captured by detailed notes. Audio recordings, notes and transcriptions were thematically analyzed and coded for themes in a recursive process of data review.

Limitations

The qualitative data is limited by a number of factors:

- The findings reflect the perspectives and input from participants who are currently working as licensed body rub practitioners but did not engage with sex workers more generally or those who have left the sex industry specifically. The latter were represented in part in the stakeholder groups but a concerted effort to gather input from this group was out of scope for this project.
- The findings are shaped by the particular individuals involved and while every attempt was made to ensure a diversity of perspectives, the research did not include an open, city-wide engagement.
- Like all qualitative research, the findings cannot be directly extrapolated – they are relevant to Edmonton’s licensing approach and the local context.

Findings

Below we present a thematic summary of findings with quotes from research participants. A further analysis of the data can be found in the body of this report. For now, a few overall observations can be made about the research findings:

- While our mandate was to investigate licensing of BRCs and practitioners, contextual factors and other facets of the sex industry were often mentioned as the broader context for any conversation about regulatory approaches. We have incorporated this context, where possible, in the responses below with an eye to ensuring the data reflects the central task of understanding the benefits and challenges of a potential withdrawal from licensing.
- In responding to research questions, practitioners expressed a high level of agreement within and between focus groups. Likewise, owners’ responses to the research questions reflected a high level of agreement with one another. Stakeholder perspectives were more diverse and at times reflected opposing views about sex work and appropriate responses to the sex industry.
- Practitioners provided extensive feedback on advantages of licensing and ways to improve the licensing process and regulation. Very few disadvantages were identified. Likewise, owners saw little disadvantage in continuing to license BRCs. Some stakeholders provided more input to the disadvantages of licensing, particularly as it relates to gender-based violence, criminality, public perception and messaging, and exploitation of women through sex work. Other stakeholders emphasized a harm reduction approach and noted that working to end sexual exploitation and licensing could exist together as a continuum of strategies.
- Throughout the research binary either/or understandings were challenged. The complexity of practitioners, clients, sex work and the sex industry cannot be reduced to easy positions of good/bad, choice/no choice, empowerment/victimization, or enabling/helping.

In the section below we provide a summary of key themes organized in three areas of focus:

1. Advantages and disadvantages of licensing

- Safety
- Health
- Quality of life
- Public confusion and perception of support for exploitation

2. Factors the City should consider

- Impetus for revisiting the licensing issue
- Edmonton's approach compared to other municipal approaches

3. How licensing can be changed or improved

- Increase oversight of body rub owners
- More flexible, equitable and clear licensing processes and regulations
- Develop strategies for safety of practitioners in inappropriately licenced centres (i.e. Health Enhancement Centres which are providing the services of a BRC)
- Increase City supports for practitioners
- Need for a thoughtful and broad approach that includes diverse perspectives

Advantages and disadvantages of licensing:

Safety	
Body rub practitioners	<ul style="list-style-type: none"> • Without exception, body rub practitioners identified safety as their primary concern and asserted that while no space is completely safe, body rub centers are safer than other spaces where sex work is performed. • Practitioners asserted that they would continue to work in the sex industry and repeatedly expressed fear that without licensed centres they will have to work in circumstances of increased violence and danger. • Practitioners detailed some elements of licensing crucial to their safety: <ul style="list-style-type: none"> ○ Clients know they are in a monitored space so they are less likely to be violent or break rules. ○ In a centre, if a practitioner feels unsafe or changes her mind, she has more power to say no or end the session than if working independently. ○ Security cameras provide a chance to identify problem clients before they enter the centre. ○ Regulations that prohibit working alone ensure someone is there to respond if a practitioner calls for help. ○ Working in a licensed center supports practitioners to call police. They view licensing as a signal that they have a legitimate claim to police services. ○ Working with other practitioners supports safety because they can share information about problem clients and safety strategies, support each other in boundary setting, walk together to their cars at night, etc.
	<p><i>“I have worked in all environments – and I absolutely 100% feel safest in a body rub centre”</i></p> <p><i>“It is very, very clear that if the purpose is to minimize our harm - it [ending licensing] is going to have the absolute opposite effect”</i></p> <p><i>“You’re in the lion’s den when you go into that territory [hotel rooms]. But when they come into the studio you feel safe and you’re in charge”</i></p> <p><i>“So much safer in studio. If I get uncomfortable, I can just say ‘get this guy out of here’. Can’t do that on outcalls”</i></p> <p><i>“He knows they are on camera - so he can’t try anything funny, like if you’re in hotel and nobody knows where you are, he can force you to stay”</i></p> <p><i>“We are entitled to call police if we have a problem with a customer, and customers know that”</i></p> <p><i>“Pimps would come out of the woodwork and would be here in a huge degree trying to fill the gap”</i></p> <p><i>“Safety issue much better in studio because of language barrier. At least you have one person that speaks that language that can back up the girls”</i></p>

- Working in a licensed BRC makes it more likely that if a woman goes missing, someone will notice and seek help. Women working alone can simply disappear and no one knows if she has left town or been murdered.
- For practitioners who are not fluent in English, working in a centre is safer because they can access a translator who can negotiate what is allowed in the session and communicate expectations to the client.
- Concern was expressed that without licensing people who aren't fluent in English and those financially unable to set up independently would be forced to work for "pimps" in order to have safety measures (i.e. drivers or security personnel).
- Working in a centre allows women to see and report if a new practitioner appears underage or trafficked and practitioner licensing provides another way to ensure they are of age and working willingly. Practitioners expressed concern that without licensing vulnerable people are more likely to be trafficked.
- Working in a centre provides access to safety information through the City, Edmonton Police Service Human Trafficking and Exploitation Unit (formerly Vice Unit) and others who come to the centre and tell practitioners about bad clients, risks, etc.

<p>BRC owners</p>	<ul style="list-style-type: none"> • Owners also identified safety as important and noted that licensing BRCs ensure regulations to support practitioner safety are in place and followed. • Owners stated that BRC licensing creates a pathway for communication and enables the City and police to access information on the practitioners, owners and industry to ensure practitioners are not underage or forced. • If licensing were to end, owners worried that some businesses would use the guise of other licensing categories to continue the work in a less regulated way and this would decrease practitioner safety. • Owners also worried that ending licensing would push the work into less safe spaces where women are isolated, police have no access to share safety information, and people can go missing without anyone noticing. 	<p><i>“If they do close down the spas, it’s just going to turn into an underground thing. Police are going to have no access to any of the girls that are working, any of the owners, there’s going to be a lot more pimps coming out, there will be more street girls”</i></p> <p><i>[Police] “Can find out if they are missing right away”</i></p>
<p>Stakeholders</p>	<ul style="list-style-type: none"> • Some stakeholders expressed concern about sexual violence and the safety of individuals in the sex industry. They asserted that working in a licensed centre is not safe: clients might still be violent and having others present might not help if a practitioner is attacked. • Other stakeholders suggested that working in a licensed BRC reduces harm because it provides some degree of safety and control for practitioners. • Other stakeholders asserted that licensing provides an essential safety mechanism for some people working in the sex industry. • There was concern amongst some stakeholders that ending licensing would push people to work in more dangerous ways and increase their risk of violence. • Some community stakeholders noted that licensing can support safety because it facilitates practitioners’ access to information and relationships with City staff and police. 	<p><i>“I appreciate the idea that if we don’t license women will go somewhere else, but it is still not preventing - lots of violence happening”</i></p> <p><i>“Licensing is doing massive amounts of harm reduction for these women; body rub centres are taking them away from high risk solo work”</i></p> <p><i>“Theoretical advantage - there is access and some visibility into this world that is harder and harder to access as it moves online”</i></p> <p><i>“Licensed centres- this is the only way we can reach potential victims of human trafficking...[provide] basic information about who to call when they are in trouble”</i></p>

- Some stakeholders recognized that licensing as a harm reduction strategy provides an advantage in enabling the City to access information about what is happening in the industry.
- Others noted that licensing centres was important because the City collects information on practitioners and owners that would not otherwise be available
- Some stakeholders talked about the importance of licensing to enable access to centres and practitioners for identifying potential trafficking and supporting people who may be trafficked.
- Some stakeholders also noted that sex workers outside the licensing system are much easier for traffickers to recruit and control.
- Some stakeholders noted that the information gathered by the City through the licensing process creates an entry point for investigation if someone goes missing and can therefore help in addressing crime.
- Stakeholders shared concern that licensing condones violence against sex workers, many of whom are women, while others noted that licensing does not go far enough in recognizing the legitimacy of sex work and in ensuring safety through regulation.

“Generally women working on their own are more at risk... [from] traffickers. Easy for them to prey on”

“Not having any safety mechanisms... gives this group [clients] a normalization of violence against sex workers...we have to be really mindful of the statement we’re making to folks who do purchase sex”

Health and health supports

Body rub practitioners

- Practitioners identified sexual health information, testing and supports provided in and coordinated by licensed centers as crucial for maintaining their health.
- In BRCs, sexual and physical health is kept front of mind. When operating independently it is easier for practitioners to neglect their health.

“They come in and you can ask them questions... ask about diseases...They are really good and comfortable to talk to and promote getting tested”

“You have social workers stop by with other resources. These are all things not available to you if you work independent”

“Without the environment of centres, the girls wouldn’t

- Practitioners asserted that they were better able to manage their physical and sexual health as a result of the information received through the licensing process, particularly the mandatory information session.
- BRCs were identified by practitioners as an important hub for information updates on safety and sexual health issues from City staff, police, centre owners and others.
- Practitioners noted that in the BRC they support each other to follow safer sex practices.
- BRCs also support physical health because they have the facilities for maintaining proper hygiene.
- Some practitioners identified BRC owners as an important support for their emotional health.
- Working with others creates an important social network and support system for practitioner's mental and emotional health. Practitioners can debrief problematic sessions with one another, build a sense of camaraderie, and support each other in decision-making, particularly when saying no to a client.
- Practitioners noted their work can be lonely, isolating and emotionally difficult. Working in a BRC is helpful because it supports relationship building and mutual support amongst practitioners who "get it" – they understand what each other are going through.
- Some practitioners described the BRC as a community and practitioners as friends who positively impact their mental health by preventing isolation and creating an outlet to talk about their experiences.
- Practitioners repeatedly mentioned the practical strategies, safety information, resource tips and personal support they receive from one another as a positive aspect of working in a licensed BRC.

necessarily know and protect their sexual health"

"Have a great support system here...If independent - have no support"

"You can talk to other girls... they know how you are feeling"

"It is good for your mental health as opposed to sitting by yourself - isolating yourself"

"In our staff room...info about how to manage a dangerous situation"

	<ul style="list-style-type: none"> Practitioners noted their privilege and that others who did not feel safe enough to join the focus groups may work in exploitive situations. These workers would rely even more on support and information from City staff to learn about sexual health protection and human rights. 	
BRC owners	<ul style="list-style-type: none"> Owners noted that working in a centre supports sexual health because they will often coordinate batch sexually transmitted infection (STI) testing, bring in health related information providers, and offer emotional and other support. 	<p><i>“Girls can get tested in safe spaces...don’t have to tell their family doctor what they do if they are not comfortable”</i></p>
Stakeholders	<ul style="list-style-type: none"> Some stakeholders noted that licensing provides a pathway to offer sexual health and safety information directly to practitioners that they may otherwise be unable to reach. Some stakeholders talked about licensing as a harm reduction strategy with positive health and safety impacts. Some stakeholders asserted that licensing supports mental health because the mandatory information session for practitioners enables diversion out of the sex industry. Other stakeholders asserted that licensing supports mental health because it provides structures, support and normalization of the work. 	<p><i>“We are able to have direct access to offering services to providers by offering the information courses”</i></p> <p><i>“When they come to the info session - it provides a diversion for many women”</i></p>

Quality of life		
Body rub practitioners	<ul style="list-style-type: none"> Body rub practitioners talked extensively about the advantages of working in a BRC compared to providing services in another setting. These advantages include financial stability, the ability to support their families, better working conditions, and the ability to protect their identities. 	<p><i>“I could have worked 4 jobs and would never see my kids”</i></p> <p><i>“That was my reason too. I could spend more time with my kids, have a good lifestyle for my kids”</i></p> <p><i>“First generation [immigrants...you] do whatever you have to do to get money to get your children an education and so they have a</i></p>

- Women working in body run centres have access to consistent and reliable income, which allows them to be independent and to build a future for themselves and their families. Some practitioners see this work as a way of financing their post secondary education or paying off extensive student loans.
- For some first generation immigrant women who have limited language skills and few options for well-paid employment, working in a BRC provides the consistent income they need to support themselves and their families. Immigrant women talked about the need to sacrifice their own lives for the betterment of the next generation.
- In a licensed BRC, women are able to work regular hours and have some control over their schedules and the number of hours they want to work. This reduces stress and anxiety, allows them to look after their own physical and mental health and to adjust their schedules to meet the needs of their families, which contributes to better work/life balance.
- Practitioners working in a licensed BRC are also better able to protect their identity, which in turn promotes safety and avoids stigma for their families.

better life. Second generation are professionals”

“My physical health, my mental health, everything. I have time to focus on myself, my family and put myself in a better situation for the future”

BRC owners

- Owners also felt that overall, working conditions for practitioners are better in a licensed centre than in a non-licensed environment. Practitioners can choose their schedules and how much they work which makes it easier for them to manage other aspects of their lives.
- Owners noted help practitioners keep their identity private, which minimizes impact on families.
- Some owners provided examples of the support they provide to practitioners such as access to tax and accounting services as well as emotional support.

“As studio owner I will work with them [to provide] employment letters to confirm, and enable them to access a car lease, apartment rental, etc.”

Public confusion and perception of support for exploitation

Stakeholders

- The fact that the City licenses BRCs makes it confusing for clients since it is difficult for them to distinguish between City licensing of BRCs and federal legislation on buying and selling of sexual services.

“Disadvantage is that lot of men there that are confused, think it is legal because there are centres”
- Some stakeholders noted that licensing seems to indicate the City is saying it is okay to exploit women. They pointed out that sex work is highly gendered and is rooted in part in women’s economic marginalization.

“I feel like licensing and letting them call themselves massage places, it creates a societal confusion and confusion to men”
- Some stakeholders noted that licensing BRCs seems contradictory to the City’s efforts to reduce gender-based violence.

“It’s confusing and does not help change societal views on the exploitation of women”
- Some stakeholders felt that BRCs provide a “safe haven” for clients, compared to purchasing services elsewhere, because they are much less likely to be arrested or robbed.

“Increasing risk and harassment for RMTs – blurred lines between massage and services”
- Some stakeholders noted that licensing BRCs impacts the safety of registered massage therapists and people performing legitimate massage services as clients mistakenly approach them to perform sex work.
- Some stakeholders raised questions about the legalities of the City licensing BRCs with regards to federal legislation that prohibits advertising and living off the avails of sexual services.

Factors the City should consider:

Impetus for revisiting the licensing issue		
Body rub practitioners	<ul style="list-style-type: none"> Practitioners expressed concern that the City was considering a withdrawal from licensing and wondered about the impetus and motivation. The relationship with City staff is highly valued by practitioners who noted that if licensing ends, their relationship to the City would be seriously damaged. Many practitioners felt that the underlying reasons for the City's decision to revisit this issue are moral judgements about sex work, the stigma associated with the work and the unfair and incorrect assumptions and stereotypes about practitioners. Stereotypes about practitioners are often based on insufficient knowledge about the lives of practitioners and their reasons for engaging in this work. The prevailing stereotype of body rub practitioners that tends to circulate is that many of them have little education, few employment choices, perhaps have addiction issues, and that they are being victimized and exploited by owners and clients. However, many practitioners don't fit into these stereotypes. Practitioners come from many different walks of life and have a variety of motivations for doing this work. Some practitioners have deliberately chosen this line of work and will continue the working in the industry whereas others see this work as temporary. Some work in the industry because of financial necessity and others see it as a stepping-stone to future goals. Many practitioners emphasized that they work in the industry out of choice, don't feel victimized and don't appreciate the ongoing stigma and stereotypes they encounter. A few practitioners talked about being harassed and victimized in other kinds of jobs 	<p><i>"Not licensing takes a huge step back"</i></p> <p><i>"Relationship with City is helpful and this would be impacted very much"</i></p> <p><i>"Forcing your moral code on me is not equal and you don't have the ability to be honest and say 'I morally object' instead of saying 'I'm worried about your safety'"</i></p> <p><i>"It would be shame on them, the City, for doing that"</i></p> <p><i>"They [groups that want to end licensing] are putting us in a corner and marginalizing us and making us seem as a whole like an unsavvy group of uneducated women and that this is our last resort. That is not the case"</i></p> <p><i>"Feels very superficial and shortsighted to want to take it away simply because the idea is this job is inherently "bad" and "exploitive"</i></p> <p><i>"Closing studios is just going to push everyone underground and the cops will have a big mess on their hands"</i></p>

and have chosen this line of work as a safer option.

- One of the goals of body rub licensing was to reduce harm for practitioners, and practitioners have been following the bylaw regulations to protect themselves. The decision to revisit this issue seems to be shortsighted and does not align with the City's goal of reducing harm and creating safety.
- Practitioners do not see any benefits from delicensing. Most would continue to work in the industry but would not have the protections and access to resources that licensing provides.
- The stereotypes about practitioners should be addressed by better awareness about the role of licensed centres in keeping practitioners safe. Practitioners would like their voices to be heard by councillors and other decision makers, and decisions about the exit strategy to consider their perspectives.

BRC owners

- Many owners also expressed frustration with the City's decision to revisit the BRC licensing issue and felt that the City is 'backpedalling' on previous decisions.
- Owners expressed that delicensing would be unfair, as they have invested in setting up and running their businesses, and entered into lease agreements with the understanding that the City would license centres.
- Owners have been following the regulations set out in the bylaws, and the overall objectives of licensing are being achieved.
- Owners wondered about the City's impetus for exploring an exit strategy, and expressed their opinions about possible motivations:
 - Some owners felt that the City's intention is to shut down the centres.
 - Others felt that it may be because of legal advice that the City has

"We all invested lot of money into building businesses. It's concerning that that could be taken away"

"We are following what they have put in place for us as owners"

"The City is more concerned with publicity; end goal is to bury their heads in the sand so that the topic never comes up at Council meetings. Let the underground business flourish and they don't have to deal with it anymore"

"There's an inherently misogynist attitude that says 'you poor dear, you don't know what you want, you're a victim"

received about contravening federal legislation.

- Owners also felt that the City may be trying to distance itself from the body rub industry. Removing licensing would force the industry to operate ‘underground’ and the City would not have to deal with the issue in the future.
- Some owners expressed the sentiment that the City is being overly influenced by certain stakeholders who have concerns about licensing and are being very vocal about their perspectives.
- Owners also felt that stigma and stereotypes have a large impact on how BRCs are being viewed and that the decision to revisit this issue is tied to incorrect assumptions about BRCs and practitioners. Owners reiterated the perspectives provided by practitioners that many assumptions and stereotypes about practitioners as all being victims are incorrect. Although there certainly are women in the industry who have been victimized, stereotypes ignore women’s autonomy, agency and their ability to make the best choices for themselves.
- Owners have also wondered whether objection to licensed BRCs are based on moral and/or religious reasons.
- Given the recent proliferation of businesses licensed under another category but offering body rub services, owners felt that The City should shift its focus and effort to exploring the issues in those centres.

and you don't even know it'. Don't disagree that there are people in the industry that have been victimized. There are. But they are disregarding an entire group of people that have an active voice, have a choice and have agency”

“We follow the bylaw. Only complaints about studios are really moral issues”

“It's regular massage places... that is, often is a cover”

Stakeholders	<ul style="list-style-type: none"> • Stakeholders also wondered about the City’s motivation for revisiting the issue of BRC licensing and the overall objectives of reopening this conversation. • Some stakeholders worried that the City was driven by moral considerations rather than evidence and understanding. • Some stakeholders felt that the conversation should not be limited to licensing issues and should include the broader objective of how to end exploitation in this City. • Some stakeholders suggested the scope of the discussion should be expanded. In addition to exploring the licensing issue, consideration should be given to other approaches and strategies that can be implemented by the municipality, police, and organizations working with vulnerable populations. 	<p><i>“it’s complicated but from service provider perspective, but can’t see any benefit of delicensing... should be really cautious of reason behind this. If it’s moral, need to be discussed more”</i></p> <p><i>“If we need Edmonton to become a leader, in a City free of sexual exploitation and trafficking... then we need to ask different questions”</i></p>
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Edmonton’s approach compared to other municipal approaches

Body rub practitioners	<ul style="list-style-type: none"> • Body rub practitioners strongly supported Edmonton’s approach to body rub practitioner and centre licensing and noted it is safer than other cities they have worked in, which were more dangerous and exploitive because they did not have the same regulatory protections. • Practitioners who have worked in other cities across Canada asserted there were no models, strategies or practices that they would suggest Edmonton adopt. • Practitioners shared experiences of working in other cities where they were in more dangerous situations, financially exploited by agents who coordinated their work in hotel rooms and apartments, and targeted by police who harassed them even though selling is now decriminalized. They viewed Edmonton’s approach as better and safer than others. 	<p><i>“It is a lot safer than other cities”</i></p> <p><i>“I think Edmonton is ahead of the game compared to other cities... We have that support system of being licensed”</i></p> <p><i>“I have worked all over, different countries, all over Canada... out of anywhere I have worked Edmonton has always been the best”</i></p>
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BRC owners	<ul style="list-style-type: none"> • Owners believed Edmonton’s licensing model was the best compared to other cities they knew about. They noted that other cities are building off Edmonton’s model and that is a signal that we are a leader in Canada. 	<p><i>“[Another city] just copied our structure and that should tell you that there’s something to it, something to our structure”</i></p>
Stakeholders	<ul style="list-style-type: none"> • Some stakeholders pointed out Edmonton has been a national leader in licensing and should now lead by moving away from licensing to focus less on harm reduction and more on addressing exploitation. • One stakeholder noted that the Swedish model might be appropriate to look at as an example for Edmonton. • Some stakeholders talked about looking at US cities that have set targets to reduce exploitation by 20%. • US cities were also noted as a place to look for possible examples of strategies and awareness campaigns to reduce buyer demand. Buyer demand is a focus in the US, thought their laws and context are different. • Some stakeholders noted that approaches in other parts of the world go further with a harm reduction approach and could be a model for Edmonton but that Edmonton should augment, not replace, its licensing approach. 	<p><i>“Edmonton has been a groundbreaker at a national level. Have done what we can do from harm reduction... Perfect time for Edmonton to move forward and try something different”</i></p> <p><i>“Harm reduction -it works and save lives. Licensing is doing massive amounts of harm reduction for these women”</i></p>

How licensing can be changed or improved:

Increase oversight of body rub owners		
Body rub practitioners	<ul style="list-style-type: none"> • Although the majority of practitioners felt that licensed BRCs create a safer work environment, some practitioners also talked about negative experiences. • Practitioners asserted that the level of safety in centres is primarily dependent on the owner and on how well the centre is managed. • A few practitioners talked about their experiences of being mistreated by owners, pressured into providing unsafe services, being forced to lower their fees to attract more clients and other unsafe practices that would increase owner income. However, most practitioners felt that these centres are the exception rather than the rule. • Practitioners felt that BRC owners should be held accountable for following all bylaw regulations. Issues of mistreatment by owners could be addressed through increased oversight and enforcement of bylaws by the City. 	<p><i>“If you think BRCs are always safe and independent always not safe, I don’t think that’s true”</i></p> <p><i>“It’s not just one place, I’ve worked all over the city and I know a lot of girls who work at these places. Most of us here work at the nice clean spots, lot of privilege at this table”</i></p> <p><i>“These bad places only exist because the City allows them to exist”</i></p>
Stakeholders	<ul style="list-style-type: none"> • Stakeholders asserted that owners do not always follow BRC bylaws and that enforcement is constrained by the resources available. • There is an inherent and unequal power difference between owners and practitioners and this dynamic creates the potential for owners to abuse their power and exert undue influence on practitioners. • Owners have been known to mistreat practitioners to maximize their income, and practitioners may not feel comfortable or safe reporting owners. Examples of mistreatment include owners posting photos of practitioners without their consent, dictating fees for services, regulating hours of work and forcing women to engage with certain clients. • Although technically practitioners are independent contractors and not employees, 	<p><i>“Bylaw can’t be there all the time, so I know bylaws are not always followed”</i></p> <p><i>“So much more potential harm can occur in these locations that the City should not be treating this like other bylaws”</i></p> <p><i>“My focus is on owners and centres. When you have a business you want to make money and the commodity is the women in the centre”</i></p>

many centres operate as if practitioners were employees. However, practitioners do not receive the same protections and advantages that employees do.

- Some stakeholders feel that the City has reached limits in what it can do to create safety and harm reduction and needs to look into alternatives. BRC bylaws provide a certain amount of protection to practitioners but do not preclude the potential for mistreatment and harm. Similar to practitioners, stakeholders felt that practitioner safety could be enhanced through increased oversight and enforcement of body run centre bylaws.
- More resources should also be allocated to the police trafficking unit to ensure increased oversight and attention to this issue.

More flexible, equitable and clear licensing processes and regulations

Body rub practitioners

- Practitioners shared an interest in seeing a provincial license so that they could work in different cities.
- Some practitioners felt that requiring them to have a criminal record check was not necessary and too cumbersome.
- Some practitioners noted that the title of the license was very important. Body rub practitioner is stigmatized in some languages. In other languages it is better than saying escort, which is stigmatized. They worried that the title on their license might affect their ability to travel internationally and family members' ability to work for governments in other countries.
- Some practitioners expressed concern that in applying for a criminal record check and listing body rub practitioner as their job title, there may be a permanent record of them doing this work. They feared their children could someone access that information or

"Relationship with City is helpful and this would be impacted very much"

"...EPS, are there records that they [children] can access and find out?"

"Having a physical piece of paper saying your BRP licensing is expiring risks confidentiality... My roommate actually got that letter for me"

"When I get mail for licensing and it includes both working name and legal name"

"Let someone work for week and make money... come back and pay for the check and get licensed"

that it may affect their children's careers if it were to become known.

- Practitioners raised privacy concerns about City mail that reveals their line of work and safety concerns with mail that links their real name and working name.
- Most practitioners appreciated that the practitioner license is free but saw the cost of the required police record check as prohibitive for some who need to earn money quickly.
- Practitioners noted that more marginalized people may need to work right away and the licensing requirements might be too much. They might then do unlicensed escort work, which is dangerous especially for new people. They suggested a grace period where practitioners receive the license and have to meet the requirements within a 2-4 week timeframe.

BRC owners

- Owners want to be treated the same way every other business is treated.
- Owners noted that sometimes they feel like they cannot raise issues or make complaints.
- Owners raised the issue of business licensing fees, noting that they pay more than some other businesses and have more rules and regulations to follow. They also mentioned that their licensing cost has been going up, while for some centres the business is struggling.
- Community input into business locations was raised as a point of frustration. Other businesses do not require the same level of community input before being approved.
- Changes to licensing regulations and processes were a source of frustration for owners who pointed to the need to ensure they have clear information on changes. They noted that every year it seems as if something new is required of them.
- Owners noted that they are required to provide the same information every year, even on elements of infrastructure that don't

"It doesn't necessarily feel like every other business, we're not on equal footing"

"A lot of the attitude overt or covert is 'don't rock the boat, take what you can get, be glad that we allow you to exist'"

"There also seems to be a level of input that the neighbouring community get to have that you don't see with other kinds of businesses...not even the same as a cannabis store"

"Should be able to do it once, update it, and not have to do it every year"

"It's frustrating, as business owner you're coming to the City and you expect them to know what is the deal. Every time there is an issue when I go to get my license, been doing this for 12 yrs"

change often (i.e. what alarm system they have in place)

- Owners were frustrated by the information requirements of the licensing process, and the need to redo annual control plans every year. They suggested a three-year cycle.
- Some owners were frustrated by the lack of knowledge on the part of City staff administering the business licenses to BRCs.
- Owners noted that the stigma attached to that specific license and the zoning regulations makes it very difficult to buy property, lease property and to get insurance.
- Owners raised concern about the zoning restrictions and the double standard, citing as an example that they can't open near a daycare, but the daycare can open near them. In one example of this happening, the owner can't sell their business, because a new owner would not get a license approved given the daycare location.
- Some owners suggested continuing to provide new licenses to practitioners and maintaining existing center licenses, but not allowing new centre licenses as it reduces business to have more centres coming into the market.

Stakeholders

- Stakeholders noted that Edmonton's licensing regulations and processes should factor in the impact on surrounding municipalities.
- Some stakeholders suggested being more clear about what exactly the license is for.

"I feel the language is not clear...what is being licensed? Contradictions with law? I don't know what 'body rub' means"

Develop strategies for safety of practitioners in 'inappropriately licensed centres (Health Enhancement Centres which are providing the same services as a BRC

Body rub practitioners

- In recent years, there has been a considerable increase in the number of centres and spas that offer services similar to those provided in BRCs but they are licensed as a different business type. People in the industry refer to them as unlicensed centres,

	<p>though they hold a business license of some sort.</p> <ul style="list-style-type: none"> • Practitioners in these centres are vulnerable and would benefit from the same kind of information and resources provided to licensed practitioners. • Owners of these inappropriately licensed centres are not held accountable for the safety of practitioners and practitioners in these centres do not have any recourse if owners are mistreating them. • These businesses should be licensed appropriately and held to the same safety standards as BRCs • Practitioners felt that the City should consider strategies for inspecting businesses licensed in other ways to ensure the safety of practitioners working in these centres. 	<p><i>“There’s no supports there’s no sexual health, there is no harm reduction. You have owners that are owning and running spas in this City that are pimps, trafficking women that are running deals and sex workers that are pressured into 15 min services or \$60 specials, or pressured into services”</i></p> <p><i>“You have this huge industry and lot of women saying give us help - regulate us and government is not doing it”</i></p>
BRC owners	<ul style="list-style-type: none"> • Even when inappropriately licensed businesses are reported to the police, the proliferation of these businesses makes it difficult for police to respond and take action. 	<p><i>“Police force says we don’t have the manpower to be able to shut down the places that don’t have licenses”</i></p>
Stakeholders	<ul style="list-style-type: none"> • Stakeholders also felt that a lot more effort should be directed to the safety of practitioners working in the large number of inappropriately licensed centres environments. 	<p><i>“We know there are many unlicensed centres and there is no one checking”</i></p>

Increase City supports for practitioners

Body rub practitioners	<ul style="list-style-type: none"> • Practitioners provided the following suggestions for support that would enhance their safety and health <ul style="list-style-type: none"> ○ Increase the number of resources allocated to supporting body rub practitioners. ○ Emphasize that the role of the City is to provide support to promote practitioner health and safety, and encourage practitioners to contact police when issues arise with owners or clients. 	<p><i>“Info session- while informative, focussed on the negative”</i></p> <p><i>“The course being every 2 weeks is also a barrier. If they have to wait, they might just go out there... more frequent would be good”</i></p> <p><i>“Therapist would be great...so that the women have someone to talk to”</i></p>
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- Have City staff check in with practitioners more frequently to ensure they are staying safe.
- Establish an anonymous complaint line for practitioners to report workplace concerns.
- After the initial information session, continue providing information on health and safety to practitioners on an ongoing basis.
- Provide access to mental health counselling for practitioners.
- Address language barriers and continue to provide translation to ensure information and communication is well understood.
- Provide more information on the industry in general and on sexual health.
- In the information session, have someone who currently or has previously worked in a BRC provide their perspective on how practitioners can stay safe.
- Offer the information course more frequently.

“[Information session should have] more emphasis on what standard practices should look like in a studio and what exploitative behaviour looks like, how to report it”

BRC owners

- Owners provided the following suggestions to enhance practitioner health and safety:
 - Provide practitioners with access to appropriate counselling resources for mental health issues.
 - Offer the information course more frequently so that women can start working sooner or allow them to get their license and attend the information session within a specified period. If

“Course has evolved, took the first one; was about taxes; it's changing and is helping, that's great”

women have to wait to get their licenses, they may opt to work outside a body rub centre, which would decrease their safety.

- Provide option of an online information session.
- Include diverse organizations in the information session to give a variety of perspectives.

Need for a thoughtful and broad approach that includes diverse perspectives

Body rub practitioners

- Body rub practitioners expressed frustration at being labelled victims, told that they are exploited and morally judged by others. They suggested that the public should be educated about the sex industry to de-stigmatize their work.
- While reasons for working as practitioners are diverse and complex, some practitioners spoke about financial need and economic circumstances as impacting their decision. They suggested that more effort needs to be directed at the root causes such as financial inequity and need in the current economic model.
- Practitioners asserted that the City needs to consider what will happen to them if licensing ends. Many spoke of financial circumstances and the challenges of working entry-level minimum wage jobs while trying to support and spend time with children. The vast majority of practitioners said they rely on body rub work for financial well-being.
- Some practitioners pointed to factors that need to be considered when talking about taking away licensing - such as the state of the economy, cuts to government spending and social programs and rising costs of higher education. They asserted that they would have to continue to do sex work if

“How are you creating social equality if you stop licensing... forcing your moral code on me is not equal... cause if you were worried about my safety you’d come and you’d give me free condoms, you’d come and you’d give me free STI testing.”

“Shut these centres down and you suddenly have a whole lot of women with huge gaps in their resumes... How are you going to get work? A lot of us are past the point of being able to do so”

“For the Chinese, because of language barrier, for sure we be absolutely unemployed and only rely on the government support so welfare and we become burden”

“Budget cuts, resources already exhausted in Alberta”

	<p>licensing ends and they would simply be forced into doing it in a more dangerous way.</p> <ul style="list-style-type: none"> Practitioners talked at length about the need to address the stigma they face because of their work. They shared the difficulties of finding business supports, like accountants and financial advisors, issues with banks because of ongoing cash deposits, discrimination from landlords and others. Practitioners asserted that in a country where their work is 'legal,' more efforts need to be made to address the stigma and discrimination they face as a result of it. 	
BRC owners	<ul style="list-style-type: none"> Owners worried about practitioners' financial needs. They questioned what other work might be available to them and how they would find work with lengthy gaps on their resumes. Owners noted that sometimes practitioners have physical or mental health needs that prevent them from working full time and they don't make enough money in other jobs to survive. The model of work, how people are compensated and supports available to people with health conditions are all factors that need to be considered. 	<p><i>"Often little education, no family to help girls. They have no skills to do other jobs... they can't find other work"</i></p>
Stakeholders	<ul style="list-style-type: none"> Some stakeholders recognized that if licensing is ends, the work will just go elsewhere and the issues faced by this population will still need to be addressed. Some stakeholders pointed out that the licensing bylaw only advantages a small number of women. They respond to fears that the work will go underground by claiming it already is, with the majority of people doing the work unlicensed or as escorts. Some stakeholders were frustrated with the scope of the conversation because it centered on licensing and they wanted to have a broader conversation about what should replace the licensing regime and how the core issue of exploitation would be addressed. 	<p><i>"When a municipality creates a licensing regime, do we make it easier for those who would profit and exploit to function?... If we look at it through that lens... What do we need to get to be a City free of sexual and human trafficking?"</i></p> <p><i>"Maybe the City of Edmonton is saying "this is ok to happen" but no! They are taking a stance on safety of women"</i></p> <p><i>"Sex work is valid work"</i></p>

- Other stakeholders argued that the conversation should also be about the most appropriate role for cities to take and the importance of harm reduction, showing leadership that prioritizes the safety of sex workers.
- Some stakeholders pointed to the need to speak more broadly about the sex industry. They argued that sex work is valid work and that wanting to explore sexuality and grow as a sexual being is a normal part of the human experience that sex work can facilitate for some clients who cannot access sex in traditional ways.
- Some stakeholders suggested more attention needs to be paid to root causes including poverty, housing, etc.
- The idea of creating an ongoing task force with significant power was put forward. The task force could support a collaborative approach to try to manage an approach to the sex industry, as issues change and solutions need to be continuously evolving, especially as the work move more and more online.
- Some stakeholders emphasized that any broader conversation or ongoing task force must include people with current or past lived experience.
- One stakeholder noted that if the City wants to support exploited people they could declare and put into action a sanctuary City model, particularly if some people are being trafficked internationally.

“Body rub centres are one piece of the human/ sex/ labour trafficking... We want a task force to work on all pieces”

“People with lived experience say - “nothing for us, without us.” Encourage strongly that we rely on voices of people who are or have been there”

Appendix II: Practitioner Survey

Overview

Body rub practitioners were invited to complete a short on-line survey. The purpose of the survey was to gather information from practitioners about their experiences of working in a BRC and their thoughts on the City's potential withdrawal from licensing.

The survey was aimed at body rub practitioners who currently worked in a BRC or had done so in the past five years. This criterion was chosen because of the extensive impact of the 2014 changes in national legislation decriminalizing the sale of sexual services, and the municipal changes resulting from implementation of Edmonton's 2015 Body Rub Task Force recommendations. Practitioners who have worked in BRCs in the past five years are best placed to provide information on licensing within the context of these significant changes.

Recruitment

A link to the survey was sent out to all licensed body rub practitioners who had previously given permission for the City to contact them. The survey was also promoted at focus groups with body rub owners and practitioners and a survey link shared with owners who requested it. The survey was promoted by the City's Community Safety Liaison and Municipal Enforcement Officers at BRC visits. Using a snowball approach, all practitioners were asked to share the survey with other practitioners. A link for the survey was also sent to the site administrators of Canada Adult Fun to be shared within their Service Providers Lounge.

Data Collection

The survey was available on-line in both English and simplified Chinese, which were identified as the languages most common to body rub practitioners in Edmonton. The survey was designed for easy access via hand held electronic devices. In addition, at focus groups and during on-site BRC visits by the City Community Safety Liaison and Municipal Enforcement Officers, practitioners were provided with access to a hand held electronic device to confidentially complete the survey.

Limitations of the survey

The results of this survey are limited in a number of ways. The respondent rate, when compared with the target population of all body rub practitioners licensed in the past five years (n=1305) yields a confidence rate of roughly 80% with a 5% margin of error. This confidence rate is mitigated somewhat by the fact that many survey responses had a high degree of difference. As with all survey instruments, the results depend on respondent honesty and accuracy in completing the questions. The survey was distributed widely and was not limited to particular IP addresses, nor were respondents asked for their name or other identifying information to ensure they completed the survey only one time. Given the difficulty of securing survey responses from this population, the risk of multiple responses is low but a possibility.

Participation

In total, 169 survey responses were received from respondents identifying as body rub practitioners who are working, or have worked in centres in Edmonton in the past five years. An additional 53 people began the survey, indicating that they were not currently working, nor had they worked in centres in Edmonton in the past five years. They were thanked for their time and exited out of the survey. Finally, 8 invalid responses were received and removed from the data set.

Of particular note is the fact that 20% of respondents completed the survey in simplified Chinese language and 100% of these respondents report they are currently working in a licensed BRC.

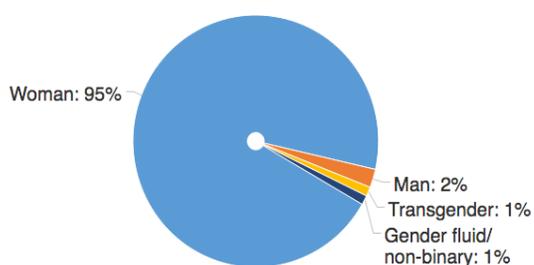
	Current BRC	Past five years BRC
# of respondents - English survey	124	11
# of respondents - Chinese survey	34	0
Totals (by work status)	158	11
Total # of respondents:		169

Findings

Demographics

The vast majority (95%) of survey respondents described their gender as female. 62% identified as white/Caucasian, 31% visible minority, and 4% as Indigenous. 83% of respondents were under 45 years old. Most respondents were comfortable communicating in English (93%).

How do you describe your gender?

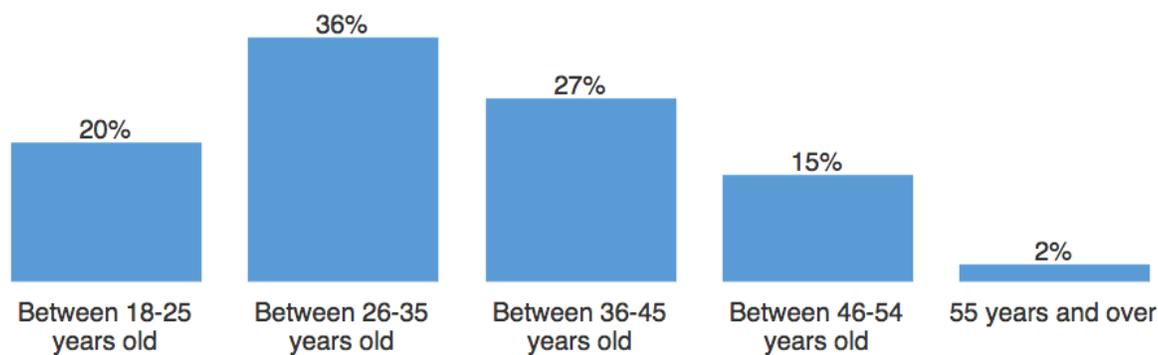


Which of the following do you identify with?

Which of the following do you identify with?	Count	Percentage
White / Caucasian	104	62%
Indigenous	7	4%
Visible minority (e.g. Black, Chinese, South Asian, Southeast Asian...)	52	31%
A description not listed above	6	4%

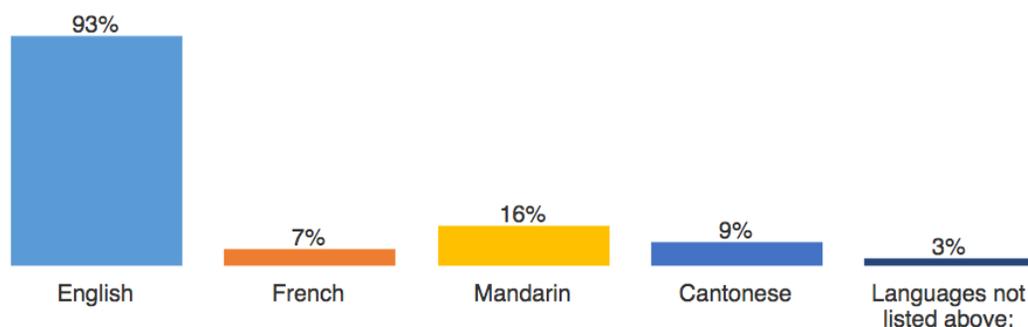
N 169

What is your age?



N 169

The following languages have been identified as significant for body rub practitioners in Edmonton. Which of the following languages are you comfortable communicating in?(Check all that apply)

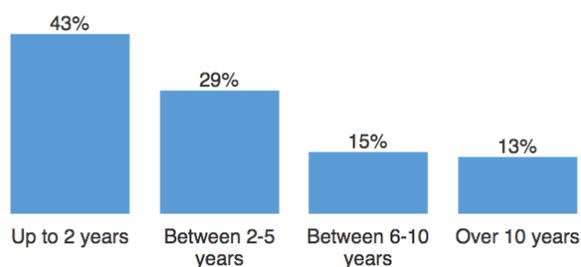


N 169

Characteristics of Work

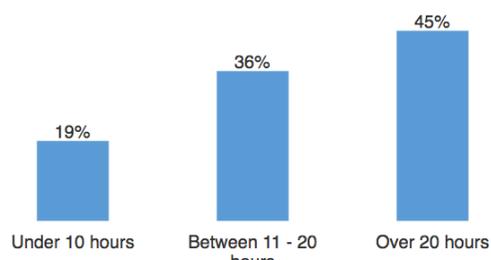
For respondents currently working in a BRC in Edmonton, 72% have worked there under five years and almost half (43%) have worked in a centre under two years. 45% of respondents work more than 20 hours a week.

In total, how long have you worked in a licensed body rub centre?



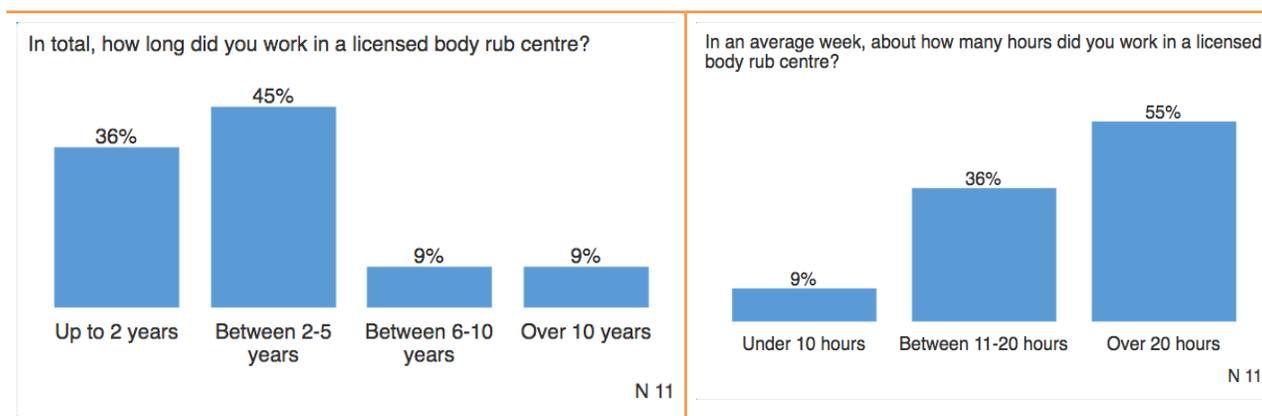
N 157

In an average week, about how many hours do you work in a licensed body rub centre?



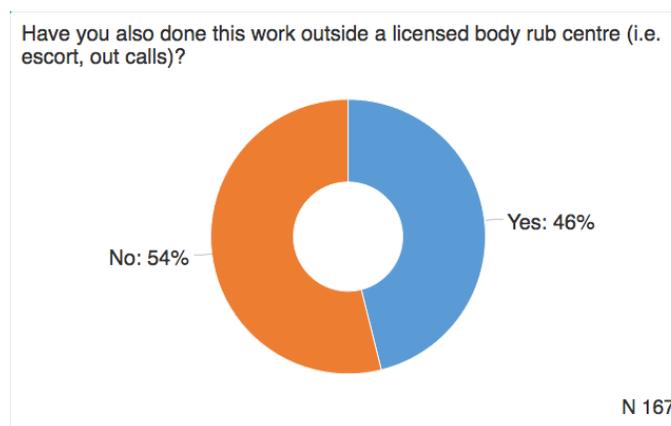
N 157

For respondents who have worked in a BRC in Edmonton in the past 5 years, 81% worked there under five years and just over a third reported working in a centre less than 2 years. 55% of respondents work more than 20 hours a week.



For all respondents, almost half (46%) have done sex work outside licensed BRCs. For respondents completing the survey in simplified Chinese, however, none (0%) reported working outside a BRC.

While the response numbers do not allow for a valid test of statistical significance, there were no significant observable differences in the remaining survey responses between these two groups.

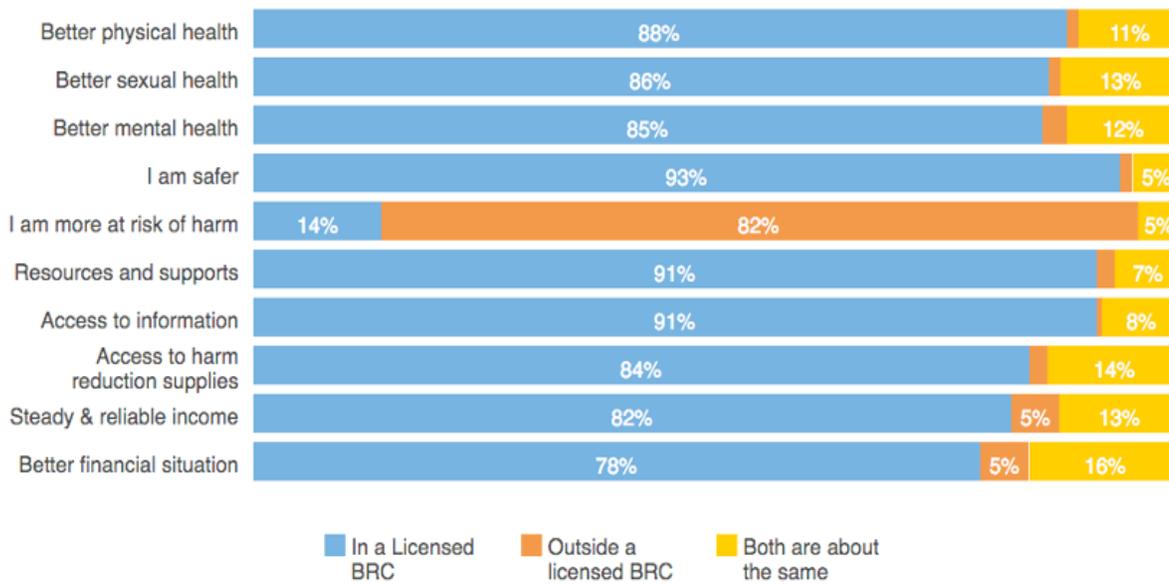


Perspectives on comparative benefits of working in a BRC

Respondents were asked to assess the merits of working in a BRC against other spaces where this work takes place. Questions asked which spaces were most likely to benefit them; for example “I have better sexual health when working in...” and “I have access to more resource people and supports when working in...”

For the vast majority of respondents, working in a BRC is perceived as better for their physical, sexual and mental health; they feel safer and at less risk of harm in a BRC; they have better access to resources, supports, information and harm reduction supplies; and they have a more reliable and improved financial situation.

Comparing working in a licensed BRC to doing this work outside a licensed BRC (i.e. escort, out calls)

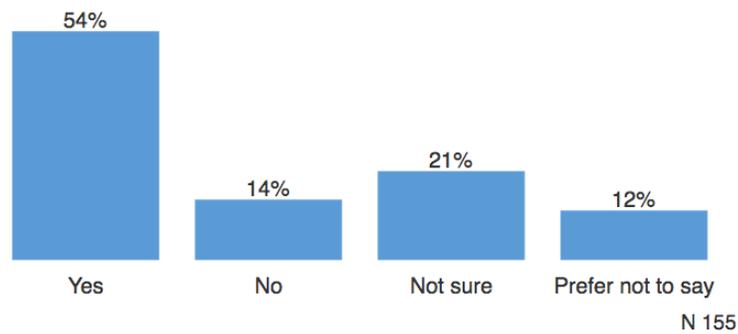


Perspectives on moving forward

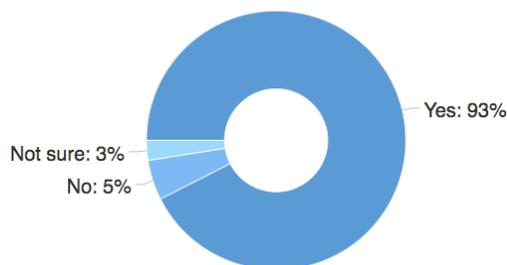
The vast majority of survey respondents (93%) want to see Edmonton continue to offer body rub practitioner and BRC licences.

A little over half of survey respondents (53%) indicated that they would continue to offer their services in another way if licensing should end, while 21% were undecided.

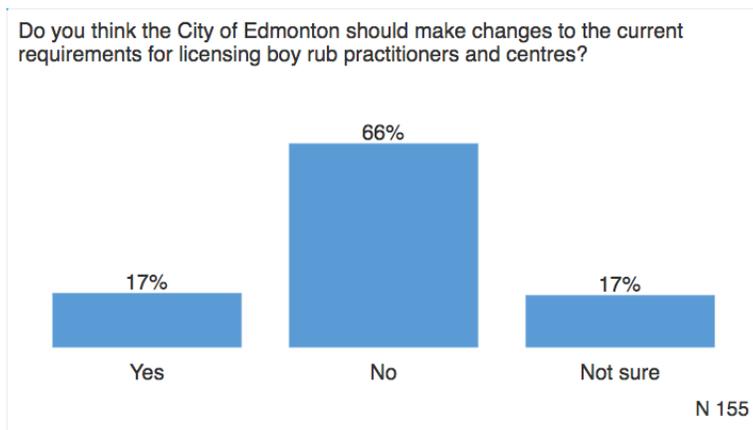
If City of Edmonton stops licensing body rub centers, will you continue to offer services through another arrangement?



Do you think the City of Edmonton should continue to license body rub practitioners and centres?



N 160



More than half of survey respondents (66%) did not think that changes to licensing are needed. 17% did think changes should be made and some of those respondents made suggestions for change, including:

- Reducing public stigma of body rub practitioners
- Imposing a cost for licences
- Restricting/ending licensing
- Making licensing more inclusive
- Developing regulations and enforcement strategies for centre owners in order to improve practitioner working conditions expanding education and resources for body rub practitioners
- Providing more effective City and police support

Full comments are sorted and detailed below, along with comments on the final question in the survey, which asked if there was anything else they would like to add. Of the 169 respondents, 47 (28%) took the time to add comments. The majority of their comments detailed safety concerns, and a desire to see licensing continue:

- BRCs are safer
- Closing the centres will increase risk and danger for practitioners
- The centres should remain and licensing should continue
- The centres help practitioners to meet their financial needs
- A few comments indicated that centres are not safe and should be closed

Concluding Remarks

Results of the survey indicate strong support for licensing to continue. The vast majority of respondents indicated that they perceive centres to be a safer and healthier way to offer sexual services and they have more information, support and resources when working in a BRC.

Survey responses

“What changes should be made?” [to licensing]

Increase oversight of body rub owners

- Consequences and action needs to be held accountable to those working in body rubs and owners. Bullying and physical, emotional, and verbal abuse should NOT be tolerated and unfortunately the City of Edmonton and Bylaw Officers are not aware of this. Subsequent background checks are essential for this job! Please don't let bad owners and service providers get away with this type of behaviour. Obtaining large amounts of cash should not be an excuse to bully/abuse workers.
- I feel the requirements are met, example: criminal record check, course and license. Studio owners should also be given rules and regulations to follow on how they treat body rub practitioners. Some of them are just like the typical pimp.
- Cleanliness, and actually enforcing that employers allow every girl to also work as an independent ([Name of BRC] I'm looking at you!)
- Standardizing the management of the centers so they are all run more 'professionally' (i.e. prompting practitioners to offer unsafe services or not setting lowball studio 'deals' to undercut other studios/providers because it brings in less desirable clientele and forces others service providers to offer services outside their comfort zones or well below their worth)
- Standardizing studio owners with specials that are allowed as it brings in rough low clients that treat the women poorly and lowers the standards for all the other ladies.

More flexible, equitable and clear licensing processes and regulations

- Mandatory reception. Clients must show ID before being allowed in.
- Mandatory profit sharing with employees: owners make disproportionately large sums of money and give little back.
- The City should reinstate a licensing fee for the Body-rub Practitioner License and it should reflect the amount for 'Massage Center' employees. As well, Body-rub Center licensing fees should drop to reflect 'Massage Center' license fees.
- Licences should be paid for.
- Not allowing Asian only studios as that is a form of discrimination and cheap specials with low quality.
- More inclusivity.
- Make the licensing process more accessible to people.
- Perhaps even more accessible, as it does gatekeep marginalized folks from entering the centres.

Increase City supports for practitioners

- These girls should be more aware and educated on what they're signing up for. This should be done by someone who has lived the life.
- More available access to resources & supports should be made. More education should be available. More awareness of sex trafficking and health needs to be made available. Life strategy & skills such as individual exit plans should be available. We need to be real here, body rub is the safest place for people to be. This is going to go on regardless let's be realistic.
- Offer more resources for an "out" program. School info sessions, career programs, how to save money, building your own business, school funding.
- Vice* officers should actually do their jobs instead of siding with owner and/or clients when there is a complaint.
- More bylaw inspections: too many spas allow drinking and vaping and drug use.
- Be more strict on licensing and visit parlors more often to ensure nobody is in hard. Ex: human trafficking, etc.

*It is unclear if the comment refers to the Safety Liaison and Bylaw officers or Edmonton Police Service Human Trafficking and Exploitation Unit (formerly Vice Unit)

Factors the City should consider

- End/restrict licensing.
- Close them. Too much drama and bad owners. I don't want or need a license.
- Get rid of them.
- No more new licences to open up new centres/locations.
- Change the police website that say ALL sex work is predatory and not by choice. It's not true, its insulting, demeaning and devaluing. I have autonomy I'm doing this by choice and i know the City knows there are many (if not most) sex workers like myself.

“What else would you like to share?”

Advantages and disadvantages of licensing: Safety

- Please take into consideration that if the City gets rid of our safe place (body rub parlours) a lot of women will be at a high risk for safety concerns by providing services in a different manner.
- I feel much safer in a body rub setting than I would escorting. With shutting the parlours I believe it would be horrible, girls would turn to the streets where they wouldn't have the resources to report kidnapping, rape or being pimped out. If the City decides to close the parlour Edmonton will not be safe anymore for working girls, as money is already scarce ladies will find themselves trying to make ends meet in dangerous situations. In a licensed body rub setting I feel most safest where I can easily find resources to help me succeed.
- Working in a body rub has always been safer for me than escorting. Clients behave better when they know they have been on camera and that there are other people around. I also find them less likely to pressure me for unsafe services, force boundaries, or overstay their welcome when in a studio.
- This will not ensure the safety of sex workers in turn making it more dangerous. Stopping one issue, to create 5 more.
- This survey does not take into account trafficked women who I believe are safer if parlours stay open.
- The studios and the girls working in them will continue to work with or without the licences. As we did in the past. 20 some years ago. The difference will be the safety of the girls.
- I feel the safest when I am in a body rub studio as opposed to having to do outcalls that don't guarantee your safety. In a studio there are other women to back me up if any situations may arise. Outcalls unfortunately you don't know who or how many are behind closed doors even if it's with an agency. I think it would be a terrible idea to shut down or limit the access of a body rub centre.
- I don't want to end up on the streets. I feel much more safe and protected in a licensed spa.
- I would like to share that being in a body rub parlour makes me feel like I am working a real job. I pay taxes like everyone else. I think its a safe way to be in this business.
- No protection if the Centres are closed. Otherwise we are gonna rent an apartment or go to the streets.
- Edmonton is already ahead of other major cities by having licencing, why take steps back by taking safety away from sex workers?
- Don't make sex work more dangerous. It's harder to screen with fosta/sesta you will kill women. Think of the woman from Montreal that was murdered. You will be just as responsible as the predators.
- If body rub centers are closed, girls will be forced on the streets or into doing out/in calls which is more dangerous. They have no security when they are out on their own.
- Licensing helps keep people safe and establishes standards for practitioners and centres. Removing the licensing creates more harm than good because it moves the work underground and contributes to the problem - the need for a source of income.
- Discontinuing body rub centres will not stop, sex work. It will only encourage practitioners to be more sneaky about it. By having these centres, not only does it regulate sex work for the

- I assumed working in a studio would be safer but in reality I was in danger for years from a client that I received absolutely no support by the owner or Vice, I probably would have been more protected if I had a pimp ‘unfortunately’. Studio owners only care about us giving them room fees, and Vice only cares about God knows what, but not us girls!
- I like to work hotels and homes because then I know who the man is and feel safer.
- Please shut these places down. Some are better than others but they are all capitalizing on exploitation. Most of my colleagues don’t see these places for what they are.

Advantages and disadvantages of licensing: Quality of life

- There aren’t enough ‘regular’ decent jobs for non sex workers, much less for us. For ppl like me with both physical and mental health issues, it allows me to survive without being a pawn to the government. AISH pays nearly nothing and is hard to even qualify for. The public does not want their taxes to go toward social services for sps forced out of their income.
- I was able to support myself & my special needs child through this work. I came out of an incredibly abusive and violent domestic violence situation. I’ve learned boundaries, paid for therapy and set my child up for success. I pay taxes and I do not feel at risk working in a studio. I just had my first child. And it changed my life. All I want is to love him and give him the best life I can. I have no education at the moment. If I were to go work a square job, I couldn’t support us. If I were to work escorting, I risk my life and my son not having his mom. Working body rub is giving me the opportunity to make the money I need to take care of my son and I, and also be able to go to school to eventually have a career and get out of the business. If you take these centres away I will not be able to better my life. It will cause me financial stress which I’ve experienced before. Which therefore will badly affect my mental health, probably to where I couldn’t be the mom I want to be.
- Studios offer support by being around the other girls, a safe place, co-workers, and a bigger sense of community. We get rapport with regulars that come into the studio.
- I find the studios to be more fitting for me to operate as I have dealt with more issues and problems while doing outcalls.
- More access to supports and awareness of sex trafficking, addiction and exit plans for individuals need to be made available. Regular contact with a public health nurse, City of Edmonton & EPS need to be made available. Open and transparent conversations about how this can be made more safe need to be had. Don’t go back to shaming people for wanting connection.
- Working in a licensed body rub setting has allowed me to remove myself from my toxic family as well as helping me pay for school. Without the setting that I am in now I would be living in a toxic environment that would probably lead me into suicide. I have been able to grow as a person and find myself in the work that I do.

Factors the City should consider

- Don't close the Centres.
- Don't close the Centres.
- Don't close the Centres.
- Maintain existing Centres' licensing and continue licensing individual practitioners.
- Maintain the existing licences for Centres and continue licensing individual practitioners.
- Maintain the existing licensing and safety for practitioners.
- Maintain the existing licensing process and safety for practitioners.
- Please stop rocking a boat that could put multiple women in the position of working from their homes, or in the street. Help those who ask for it and leave the others alone. This business has existed since the dawn of man, and no one will change that. They don't care about us. Most of us started this to avoid what you're proposition would more than likely force us into. Please decriminalize and leave those of us who CHOOSE this work alone.
- I'd love to add more input to this discussion as a happy, healthy BRP.
- Please follow up with previous recommended comments [ways to change licensing]. I would like to see something addressed about this.
- Thank you for letting us be part of the democratic process. We appreciate that you invite the main stakeholders to the table. :)
- The City of Edmonton makes money off licensing these establishments. It would be in their best interest to keep doing this. You make money, keeps us safe and we also make our incomes
- Try to make feedback or questionnaires like these available in the future, and consult with clients as well.

Appendix III: Licensing Contexts

Using the authority given to them by their province, municipalities across Canada have variously developed licensing and zoning schemes to address concerns related to the sex industry. The criminality of prostitution, however, is governed at the federal level and all municipal regulations must respect the applicable Canadian legislation.

Legislative Context

The context for sex work in Canada has changed significantly in the past six years and is still in flux as the impacts and limitations of Canada's legislation are explored. With Bill C-36, the *Protection of Communities and Exploited Persons Act*, which came into force on December 6th, 2014, Canada adopted a version of what is often referred to as the Nordic model. Bill C-36 treats prostitution as a form of sexual exploitation that disproportionately impacts women and girls and is aimed at protecting people who sell sexual services, protecting communities from the harms of prostitution and reducing buyer demand. Canada's approach has been described as a harm reduction strategy that does not criminalize the selling of sexual services but recognizes people involved in selling as victims of sexual exploitation.

The constitutionality of Canada's legislation has been challenged. In February 21, 2020 the Ontario Court of Justice released a ruling on R vs Anwar by Justice McKay who found sections 286.4 (advertising sexual services), 286.3 (procuring) and 286.2 (material benefit from sexual services) of the Criminal Code to be unconstitutional. The judge found that these sections isolate already marginalized sex workers, who are prevented, in effect, from approaching their more experienced peers for advice or support, working co-operatively with others, or sharing staff.

The longer-term impacts of this decision are not known. Because the judgment is from a provincial court, it is not binding, and the law remains in effect unless an appellate court sides with McKay in the event of an appeal. It is safe to assume, however, that further challenges may be made. Given that the legislation is relatively new in Canada, it would not be surprising if it takes some time to wind its way through the legal challenges brought against it.

Licensing in Canadian Cities

Cities in Canada use a particular set of regulations to address components of the sex industry, including land use bylaws; nuisance bylaws; bylaws on signage, displays and public advertising; business licensing bylaws and business operations regulations. A scan of municipal practices reveals that most big cities in Canada have some form of licensing in place, though in some cases the number of licenses are limited and/or the regulations for licensing make it virtually impossible to establish a body rub business.

While a number of abolitionist groups in Canada argue that licensing allows sexual exploitation to continue and gives mixed messages to the public, a review of literature on licensing in Canada did not reveal any calls to end licensing. On the contrary, the literature suggests that licensing reduces violence for sex workers. Any negative impacts of licensing identified in the research related to particular regulations that were seen as unjust and enforcement strategies that are punitive or aggressive in nature (see Appendix IV: Literature Review – Impacts of Body Rub Licensing).

The following table provides a brief summary of licensing relevant to body rub centres in selected Canadian cities.

City	Licensing Summary
Vancouver	<p>The City of Vancouver currently licenses BRCs and has wrap around sex work policies to support indoor and outdoor sex workers. These policies include, for example: Vancouver police policies to ensure assault against sex workers is taken seriously and nuisance policies are only enforced against sex workers as a last resort, policies for administration that call for using a health and safety lens and separating personal beliefs and morals about sex work and one's professional duties as a City employee, and policies that explicitly state adult consensual sex work is not in itself a bylaw violation.</p>
Calgary	<p>Calgary currently licenses BRCs. There are no limits on the number of licenses issued. The current licensing approach was adopted in 2013 when the City introduced a separate licensing category and specific bylaws for BRCs in order to provide a clear distinction between body rub and massage centres. This distinction is meant to support more focussed compliance efforts.</p>
Regina	<p>Regina is in the early stages of adopting a licensing regime. At the direction of Council, City administration completed community engagement and research on licensing and proposed an approach for the City of Regina to regulate massage parlours as a business, while focusing on harm reduction for workers, operators and their clients. The report was sent from executive committee to council on June 24, 2019th and a motion to accept the recommendations and regulate massage parlours was carried at the Sept. 23, 2019 City Council meeting. Regulations to support the motion are in development.</p>
Toronto	<p>Toronto licenses body rub parlours but the number of licenses is capped at 25. Given that Toronto currently has 25 parlours, no new licenses can be issued. However, in 2019 City administration proposed removing the cap. Administration was instructed by the General Government and Licensing Committee to submit a report in late 2019 that examined:</p> <ul style="list-style-type: none"> • Removing license requirements for parlours and practitioners • Amending the requirements of the Body Rub Parlour By-law, with or without removal of the cap • Increasing safety requirements in the body rub parlour bylaws <p>The City has completed public engagement on the topic. The report has not yet gone forward to Committee and is therefore not publicly available.</p>
Montreal	<p>In Montreal, the approximately 350 'erotic massage parlour' businesses are spread across the City's 19 boroughs. Each borough is responsible for licensing and zoning bylaws relevant to the industry. For example, in 2018 Laval modified the rules governing erotic establishments. Bylaw L-2000 now confines erotic massage parlours to a specific industrial sector so as to more effectively control and supervise them and to limit the number of establishments.</p>

Appendix IV: Literature Review – Impacts of Body Rub Licensing

Summary

Municipal licensing of body rub centres in Canada has benefits for practitioners' health, safety and sense of legitimacy and has the potential decrease sex work related stigma. However, licensing, and in particular, the specific bylaw provisions and enforcement practices of some Canadian municipalities, can harm workers. International research suggests that the impact of sex work premises on surrounding communities is mixed, in contrast to the mostly negative views expressed in civic consultation processes. Although the impact of legalization and licensing sex work on trafficking is mixed, European evidence suggests that licensing alongside increased law enforcement of trafficking can combat exploitation. Within the current federal legal context, none of the Canadian research we reviewed recommended delicensing body rub centres; researchers instead recommend changing bylaw provisions and enforcement practices to reduce their negative impacts on workers. Some anti-trafficking advocates recommend delicensing as licensing is seen as a legal screen for exploitative activities.

Overview

Research question

The guiding question for this literature review was: What are the impacts of licensing body rub centres in Canadian municipalities on practitioners and communities? This included the sub-question: What impact does licensing body rub centres have on sex trafficking and other sex work industries?

Methods

This literature review includes both academic and grey (e.g. reports, policy briefs) literature. The following databases were searched for academic literature: Academic Search Premier, PubMed, Web of Science, Sociological Abstracts, Scopus, and Google Scholar. Grey literature (e.g. reports, policy briefs) was found by searching Google and desLibris. We prioritized materials based on empirical data and information (e.g. interviews, consultations, police statistics) over materials that articulated a particular viewpoint on licensing or sex work but did not provide data to substantiate its claims.

Search terms included combinations of the following terms: body rub, massage parlo(u)r, sex work, sex industry, prostitution, indoor sex work, in-call, off-street, trafficking, exploitation, licensing, regulation, municipal, bylaw, Canada. This review focuses on Canadian literature, given that the Canadian legal context is quite different from otherwise socioculturally comparable countries like the US. Given the dearth of published research on the impacts of licensing body rub centres in Canadian municipalities, some international literature was included.

The search emphasized literature published in 2014 or later in order to capture the federal legal context after the passing of the Protection of Communities and Exploited Persons Act (PCEPA). However, papers and reports found in the search repeatedly referred to a few relevant papers published before 2014, and these were included with a critical eye to how the current Canadian legal context differs. In addition, some studies published after 2014 rely on data collected before 2014.¹

¹ There is some indication from research and sex work advocates that although the ways in which sex work is criminalized differ in the new legislation (e.g. criminalizing buyers instead of sellers) many of the impacts of Canadian law on sex workers are similar to before PCEPA was passed. Therefore, the findings of some of this literature still apply to the current environment.

Findings

The impact of licensing on workers: advantages

Municipal licensing of body rub centres and workers benefits workers in a number of ways. Many years of research on sex work has established that working from indoor locations reduces violence from clients and sometimes from police, compared to outdoor locations (Benoit et al., 2017; Deering et al., 2014). Working indoors can facilitate common sex worker safety and risk mitigation strategies like access to a phone, security devices, screening clients and securing payment before service (Benoit & Shumka, 2015; Grant, 2019). Indoor venues can also give workers access to occupational health and safety measures as well as supportive managers and co-workers (Goldenberg et al., 2015).

Working in licensed indoor venues has additional benefits. Workers and owners in licensed body rub centres in Vancouver felt they were more likely to be treated respectfully by clients, had more power to negotiate with clients and were less vulnerable to violence and robbery than in outdoor or unlicensed indoor locations (Anderson et al., 2015). This is in part because licensed venues are legally “protected” by the municipality, so workers feel that “clients won’t mess around” (Anderson et al., 2015, p. 7). Some of the specific requirements of licensed venues, such as security cameras and alert systems (Grant, 2019) or health and safety standards (Goldenberg et al., 2015; Laing, 2012) can also benefit workers.

Licensing sexual services offers workers a sense of legitimacy in a heavily stigmatized industry (Grant, 2019; Laing, 2012). Having legally documented employment increases workers’ economic opportunities as it gives them greater access to activities like buying a car or accessing rental housing (Bruckert & Hannem, 2013; Lewis & Maticka-Tyndale, 2000). On a broader social level, some sex work researchers have argued that licensing has the potential to disrupt dominant narratives that stigmatize sex work and see workers as ‘disposable’, thereby decreasing violence across the industry (Anderson et al., 2015).

The impact of licensing on workers: disadvantages

However, some literature notes that licensing body rub centres and practitioners opens the door to more surveillance by the municipality and police (Anderson et al., 2015; Chu & Clamen, 2019; Laing, 2012) as well as immigration officials (Santini & Lam, 2017). Older research with Canadian sex workers mentions that some workers choose to work in unlicensed venues to avoid the consequences of this surveillance (Laing, 2012).

The increased surveillance made possible by licensing has the potential to leave workers open to harm via enforcement if measures are not put into place to prevent this. Body rub workers across Canada report inappropriate use of authority by municipal, police and immigration officials during licensing inspections, with resulting emotional, physical, legal and financial impacts (Anderson et al., 2015; Chu & Clamen, 2019; Lam, 2016, 2018a; McBride et al., 2019). Due to this, some researchers have referred to the municipal licensing of sex work as a subtle form of criminalization (McBride et al., 2019).

Licensing also creates a two-tier system of indoor sex work: with licensed workers who are more surveilled by municipal enforcement but have better access to support services and unlicensed workers who are off the radar of enforcement but more vulnerable to violence and less visible to service providers (Benoit et al., 2017; Bruckert & Hannem, 2013; Platt et al., 2018).

The impact of bylaw provisions and enforcement practices on workers

Most of the negative impacts of Canadian municipal licensing systems on body rub workers described in the literature, however, are a result of municipality-specific bylaw provisions and the enforcement practices of bylaw officers and police rather than licensing per se. The experiences of practitioners with licensing and enforcement varies across municipalities due to factors like the policy climate around sex work and the culture of the police force or even of individual officers (Chu

& Clamen, 2019; Laing, 2012).

High licensing fees, a burdensome registration process (Anderson et al., 2015; van der Meulen & Valverde, 2013) and the inability of workers or owners with criminal records to get licenses (Benoit et al., 2017; Platt et al., 2018) make it difficult for many practitioners to access the benefits of working in licensed body rub centres. Having worker licensing records made public or accessible through background checks limits the privacy of workers in this stigmatized line of work and is a barrier to leaving the sex industry (Benoit et al., 2017; Laing, 2012; Martin, 2019). These barriers push workers into unlicensed venues, exacerbating the two-tier situation described above (Chu & Clamen, 2019; Holistic Practitioners' Alliance et al., 2019; Powell, 2015).

The literature also discusses the impacts of particular bylaw provisions related to the body rub centre environment, including requirements to leave massage room doors unlocked, brightly light the facility or have more than one person on site (Grant, 2019; McBride et al., 2019). Requirements such as these can prevent practitioners from controlling their own working conditions and managing risks, which has been found to be the single biggest determinant of workplace safety for sex workers (Anderson et al., 2015).

Inspections or the threat of them can cause significant stress for practitioners, even when inspections are done by city officials. Body rub practitioners have noted that inspections disrupt business and therefore income (Anderson et al., 2015; McBride et al., 2019) and violate the privacy of clients (Lam, 2016). Research conducted with licensed indoor sex workers in Toronto and Vancouver describes police taking a punitive approach to enforcement, using license violations (e.g. not having worker licenses displayed, massage beds broken) to punish providers of sexual services and not out of a concern for worker or client health and safety (Anderson et al., 2015; Lam, 2016). Workers and owners argue that because police do not have the jurisdiction to criminally charge workers for providing sexual services, they use licensing bylaws to punitively control sex work (Lam, 2018a; van der Meulen & Valverde, 2013). Police also use inspections as a pretext to investigate workers' immigration status, making inspections stressful for immigrant workers (Lam, 2018a; McBride et al., 2019).

Sometimes inspectors do not disclose whether they are bylaw, police or immigration officials and workers do not know their rights during each kind of inspection, leading to confusion and fear (Chu & Clamen, 2019; Santini & Lam, 2017). This stress is heightened for immigrant workers who are not familiar with Canadian systems or for workers who do not speak English, especially if officials come without interpreters (Anderson et al., 2015; McBride et al., 2019). Inspections can also come with police harassment, racism (including the disproportionately high policing of Asian body rub centres) and violence (Chu & Clamen, 2019; Goldenberg et al., 2017; Grant, 2019; Lam, 2016; McBride et al., 2019).

The stress of enforcement and the consequences of bylaw violations (e.g. tickets, fines) displaces workers to outdoor or unlicensed indoor sex work venues, where workers are less safe (Anderson et al., 2015; Deering et al., 2014) and are less able to practice health protective strategies like condom use (Deering et al., 2013), and deters them from seeking health services (McBride et al., 2019). These experiences also mean that body rub workers and owners are less likely to call the police, municipal officials or other service providers when thefts or violent incidents occur, because they do not trust the police to treat them respectfully and because they fear calling will put them on the radar of enforcement (Anderson et al., 2015; Goldenberg et al., 2017; Grant, 2019; Lam, 2016; McBride et al., 2019; Platt et al., 2018). Despite these concerns, anti-trafficking organizations advocate for increased policing of licensed indoor sex venues to identify exploitative working conditions (Gosse, 2018; Grant, 2019).

The impacts of licensing on other kinds of sex work

We found very little research on how licensing or delicensing impacts the experiences of workers engaged in other kinds of sex work. As mentioned above, various barriers to getting a license mean that some sex workers who would prefer to work in licensed venues are pushed to unlicensed indoor venues or outdoors. The stress of body rub centre inspections as well as tickets and fines can also displace practitioners to outdoor or unlicensed indoor venues, with the consequences described above.

The impact of licensing on sex trafficking and exploitation

The prevalence of trafficking in body rub venues in Canada is hotly contested: anti-trafficking organizations assert that it is widespread (Barrett, 2013) although research conducted by sex worker organizations argue that trafficking is rare in these venues (Malla et al., 2019). There is no empirical research that assesses the impact of municipal licensing of body rub centres on sex trafficking in Canada. This section relies largely on European research and includes studies that examine the impact of legalization more broadly.

Some anti-trafficking organizations suggest that municipal licensing and other business regulations can decrease trafficking (National Task Force on Sex Trafficking of Women and Girls in Canada, 2014) because they allow municipalities to track workers and police and bylaw officers access to venues to inspect working conditions (Barrett & Shaw, 2013; Martin, 2019; Polaris, 2018).

Although the legalization (including licensing) of sex work in the Netherlands has not resulted in the expansion of unlicensed sex work and has decreased the number of sex workers without legal documents, sex trafficking has continued (Huisman & Kleemans, 2014; Spapens & Rijken, 2015). Some researchers argue that licensing cannot fully prevent the exploitation of sex workers, in part because sexually exploitative relationships are often intimate in nature and therefore out of the view of regulatory officials (Huisman & Kleemans, 2014).

Research on the impact of legalization of sex work on trafficking in Europe suggests that legalization actually increases levels of trafficking (Cho et al., 2013; Marinova & James, 2012). However, legalization (including licensing) alongside measures to ensure that people who are trafficked are not able to access licensing (Cho et al., 2013) as well as the criminalization of clients has been advanced by some researchers as the regulatory scenario most likely to reduce trafficking without infringing on consensual sex work (Lee & Persson, 2018). This echoes other findings that legalization/licensing along with increased law enforcement directed against trafficking can be effective in tackling exploitation (Marinova & James, 2012). However, when monitoring licensed sex service venues is the responsibility of police, resources are diverted from trafficking investigations (Huisman & Kleemans, 2014).

The impact of licensing on communities

We found no Canadian research on the impacts of licensing or delicensing body rub centres on communities. The little research we located looked more broadly at the impact of indoor sex work and adult establishments on surrounding neighbourhoods and was published in the UK, US or Australia.

Generally, studies have indicated that residents are more concerned with outdoor than indoor sex work (Boels & Verhage, 2016; Prior & Crofts, 2012). Research also consistently shows that the perceived negative impacts of sex businesses on surrounding communities are greater than the actual negative impacts. In an Australian study, 43% of residents surveyed did not know there was a sex work business within 400m of their home. Of those who did, half rated its impact as neutral, a quarter as positive and a quarter as negative (Hubbard et al., 2013). People who lived further away from sex businesses perceived them more negatively whereas people who lived closer, or who had lived around the businesses longer, were more likely to perceive them neutrally or positively. This suggests that some of the negative perceptions of sex businesses decrease through familiarity (Hubbard et al., 2013). A UK study also found that resident perceptions of neighbourhood massage parlours was diverse, falling on a spectrum of seeing them as entertainment to considering workers as regular

customers to being disgusted by the establishments (Cooper, 2016). Massage parlours with a more 'confident' storefront presentation and clearer signage were better perceived because they gave residents the sense that businesses were more legitimate and workers were being better cared for (Cooper, 2016).

Residents who participate in civic consultations on proposed sex work establishments almost unanimously oppose them on the grounds that they will negatively impact crime, social disorder and public health (Prior & Crofts, 2012). However, the research described above on resident perceptions implies that the perspectives of people who participate in public processes do not accurately represent the diverse perspectives of residents (Prior & Crofts, 2012).

Most research on the impact of sexually oriented businesses on crime has been conducted in the US on strip clubs and adult book/toy stores. This research has had mixed results, with some studies showing evidence of increased crime around these establishments (McCleary & Weinstein, 2009; McCord & Tewksbury, 2013). Some researchers theorize that increased crime results from the presence of suitable targets: patrons of sexually oriented businesses who are carrying cash, using alcohol or other substances, and who might be reluctant to report incidents to the police because they want to remain anonymous (McCord & Tewksbury, 2013). However other studies in the US have shown that the areas around sexually oriented businesses have less crime (Linz et al., 2004) or no difference from comparable areas (Linz et al., 2006).

There is some evidence that legal massage parlours are associated with less crime in the surrounding area than illegal or illicit ones. A study conducted in Arizona found increased rates of crime and domestic violence in the neighbourhoods around illicit massage parlours. However, when licit (in this case, licensed) parlours were added to the sample, they did not find increased crime rates (Huff et al., 2019). This suggests that licensing or other regulatory strategies that make parlours legal/licit might mitigate some of the crime-generating potential of sex businesses.

US-based research on the impact of sexually oriented businesses on property values - most of it conducted by city planning departments - is also mixed. Some assessments found evidence of a decrease in property values, although other studies have found no difference, or that property values increased around adult clubs (Hubbard et al., 2013; McCord & Tewksbury, 2013).

The impacts of delicensing

No Canadian research has been conducted that assesses the impact of removing municipal licensing from the body rub industry, so we lack sufficient evidence to predict the impacts of delicensing. Given that some of the research examined in this literature review describes the harms of body rub licensing on workers, one might assume that researchers have concluded that these systems should be eliminated. Notably, none of the studies on body rub centres that we reviewed recommend delicensing where it is already in place.

Few sex workers or sex worker organizations recommend delicensing either. As an example, a recent proposal to remove the holistic practitioner licensing category in Toronto was met with opposition from workers. Workers noted that removing municipal regulation of holistic establishments might make them more vulnerable to police or immigration enforcement or might result in more onerous provincial laws (Grant, 2019). For details on how sex workers advocate for the regulation of the sex industry as a whole, see Appendix V: Literature Review – Sex Worker Perspectives on the Regulation of Sex Work.

In consultations held in Regina about body rub licensing, no anti-trafficking advocates objected to licensing (Martin, 2019), though they did object at Council meetings. Anti-trafficking advocates in Toronto's recent consultations on Body Rub Parlours and Holistic Centres advocated that the City close all existing parlours and delicense them (Grant, 2019), arguing that licensing body rub centres, where trafficking is known by workers and police to happen, offers a legal screen for exploitative activities (Gosse, 2018).

Instead of delicensing, researchers recommend changing bylaw provisions and enforcement practices in order to allow licensing to meet its full potential (Bruckert & Hannem, 2013). Other common recommendations include the full federal decriminalization of sex work along with provincial and municipal measures to protect workers, which are discussed in detail in Literature Review – Sex Worker Perspectives on the Regulation of Sex Work (Appendix V).

Municipal regulation of body rub centres: Key points

This literature review generated a number of key points that related to the municipal regulation of body rub centres.

The goals of regulation are important to consider

Regulation that has an implicit or explicit goal of prohibiting sex work may disproportionately harm consensual sex workers. Strategies such as enforcement driven policing and capping the number of body rub centres, both of which aimed to limit the industry, have had negative effects on practitioners (Anderson et al., 2015; Lam, 2018a; McBride et al., 2019) and have led to widespread non-compliance (Romeo-Beehler, 2017). Further, Canadian municipalities do not have the jurisdiction to control or prohibit sex work (Lam, 2018a; Martin, 2019; van der Meulen & Valverde, 2013), as demonstrated by successful court challenges of prohibitive municipal bylaws. Portions of licensing bylaws have been struck down by provincial courts on the basis that the municipality was attempting to regulate nudity, morality or sex work itself (Barnett, 2014).

Harm reduction approaches are essential

Despite differences in end goals or recommended strategies, consensus is emerging among all participants in debates about sex work in Canada that workers are the stakeholders most impacted by any kind of regulation, and that their wellbeing should be prioritized. Recent body rub licensing decisions by the City of Regina advanced harm reduction as an alternative to an enforcement approach (Martin, 2019). A harm reduction approach can support practitioners to practice the safety and risk mitigation strategies already common in body rub centres and in the sex industry as a whole (Benoit et al., 2017; Powell, 2015).

Specific bylaw provisions can have an impact

Evidence suggests that a municipality's bylaw provision can impact the health, safety and financial wellbeing of practitioners. For example, obstacles to accessing licensing and remaining licensed can displace workers from indoor and licensed venues. Given the stigmatized nature of the industry, information requirements can cause distress for workers and public records can result in barriers for workers wanting to exit. Licensing and enforcement might contribute to racism against immigrant workers (Lam, 2016); inspections led by bylaw officers along with interpreters, instead of police, are preferred (Anderson et al., 2015; Martin, 2019). Central to these and other detailed recommendations about bylaws and their enforcement in the reviewed research is the suggestion that practitioners in a given municipality should be consulted on bylaw provisions to ensure they do not inadvertently cause harm.

Licensing categories can reinforce stigma and inequity

Moving beyond incremental changes to licensing provisions, a number of researchers recommend treating sex work similarly to other body work or personal services industries to limit the disproportionate impact of regulation on sex workers (Benoit et al., 2017). Their concern is that regulation systems specific to sex work can reinforce the stigma associated with the industry, especially if these systems are based on an underlying attempt to control or prohibit it (Bruckert & Hannem, 2013). In the case of body rub centres and practitioners, this could involve reducing licensing fees

and the burden of the registration process to be comparable to other industries (Lam, 2018a; van der Meulen & Valverde, 2013). It could also involve removing all licensing systems specific to sexually oriented businesses and using business licensing and zoning provisions to regulate body rub centres (Martin, 2019). At a provincial level, it might also involve extending worker protections such as labour standards to all sex workers (Canadian Alliance for Sex Work Law Reform, 2017); this approach is described in detail in Appendix V: Literature Review – Sex Worker Perspectives on the Regulation of Sex Work.

Punitive approaches to licensing enforcement can harm practitioners

When licensing is accompanied by enforcement that does not prioritize the wellbeing of workers or recognize their vulnerability to enforcement officials, body rub practitioners are at risk of being harmed. An international review of sex work environments showed that access to police protection without fear of criminalization fostered trusting relationships with the police and greater willingness to report violence (Goldenberg et al., 2015). Increased enforcement of licensing and bylaw regulations regarding body rub centres and practitioners can create an environment of distrust, a reluctance to share information or ask for help, and negatively impact practitioner health and safety.

Demonstrating a commitment to protecting sex workers can help build positive relationships with enforcement officials. For example, prior to the changes in Canada’s prostitution laws enacted in Bill C-36, the Vancouver Police Department adopted revised Sex Work Enforcement Guidelines, which state that sex between consenting adults is no longer an enforcement priority and that the Department will focus on investigating crimes against sex workers (Hayman, 2017; McCann et al., 2013). This policy change resulted in more crimes against sex workers being reported and no reported murders of sex workers (Martin, 2019) although it is important to note that Indigenous people who work in the sex trade report that the guidelines are not being implemented consistently and that mistreatment by the police continues (Vancouver Sex Workers Rights Collective, 2018).

Anti-trafficking approaches can harm consensual workers

A growing body of material published by sex worker organizations and researchers suggests that human trafficking initiatives harm consensual sex workers more than they allow for the identification and prosecution of traffickers (Lam, 2018b; Mackenzie & Clancey, 2015; Malla et al., 2019). This is in part due to the lack of clear distinctions between consensual sex work and sexual exploitation and the conflation of the two in policy and public discourse (Dandurand, 2017; Huisman & Kleemans, 2014). Sex workers report that anti-trafficking approaches result in increased police access to body rub centres, with the kinds of consequences (e.g. police harassment, workplace stress) mentioned above. Racialized workers are especially targeted under the assumption that Indigenous and immigrant sex workers are victims of human trafficking (McBride et al., 2019). The literature review on ‘Sex Worker Perspectives on the Regulation of Sex Work’ (Appendix V) describes these arguments in more detail. Despite their differences in perspective, both anti-trafficking advocates and sex worker organizations agree that attempts to combat trafficking in body rub centres should ensure that their punitive consequences do not fall on workers (Gosse, 2018; Lam, 2018b, 2018b; National Task Force on Sex Trafficking of Women and Girls in Canada, 2014).

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Appendix V: Literature Review – Sex Worker Perspectives on the Regulation of Sex Work

Summary

Sex worker organizations advocate for more access to indoor sex work venues as they are safer, and make various suggestions about how municipal regulation and enforcement can prioritize the health and safety of workers. Sex workers who work in outdoor spaces recommend that police stop the practice of using non-sex work specific bylaws (e.g. jaywalking, public nuisance) to effectively prohibit sex work. Organizations also draw attention to how the federal criminalization of sex work related activities and enforcement by police can harm workers. Self-regulation is suggested as a possible strategy for the sex industry as a whole. Sex worker organizations almost unanimously advocate for a legal framework involving the federal decriminalization of all aspects of sex work while ensuring that sex workers can access existing provincial labour and occupational health and safety protections. Sex worker organizations note that human trafficking approaches overpolice sex workers, especially Indigenous and immigrant workers, as policies lack clarity about the definitions of consensual sex work and exploitation.

Overview

Research question

The guiding question for this literature review was: How do sex workers recommend that Canadian municipalities regulate sex work? The question was not limited to the regulation of BRCs but extended to all sex work. Given that much current advocacy from both local and national sex worker organizations focuses on federal law, this literature review was expanded to discuss the perspectives of sex workers on federal, provincial and municipal law as well as enforcement. These two added areas of investigation are included to provide context for recommendations for municipal regulation.

Methods

Three kinds of sources were used to understand the perspective of sex workers in Canada: sex worker organizations, research conducted with sex workers and reports from public consultations. A list of sex worker organizations in Canada was compiled using member lists of national sex worker advocacy organizations and a Google search. A ‘sex worker organization’ was defined as an organization that has past or current sex workers as its primary members and audience. The website of each organization was searched for reports, policy briefs, newsletters and other resources written with the aim of representing the organization’s or its members’ perspectives on sex work regulation. Reports of recent public consultations and written submissions from sex worker organizations on body rub regulations in three Canadian municipalities were also reviewed. Some published qualitative academic research, where the research was conducted with sex workers and the findings explicitly represent the perspectives of sex workers, was also included. Academic literature came from searches conducted for the literature review on the ‘Impacts of Body Rub Licensing’ (see Appendix IV), which used a combination of search terms to look for published work via a number of academic databases. The search focused on materials written after the 2014 passing of the Protection of Communities and Exploited Persons Act (PCEPA), as current recommendations of sex workers on regulation refer to this particular legal context. A few sources from before 2014 were included for context.

Given the methods used to search for literature, this paper focuses on the issues that most commonly emerged in the sources we reviewed. It is not a comprehensive analysis of sex worker positions on a wide range of policy strategies, but a summary of the most pressing regulatory issues articulated by sex worker organizations in Canada.

Findings

Municipal regulation of sex work

Many sex worker organizations note that a key strategy for increasing sex worker safety is for municipalities to increase worker access to indoor venues, as they allow workers to control their occupational environment and implement health and safety practices to a greater degree than outdoor venues (Jarvis, 2018; Santini & Lam, 2017; Vancouver Sex Workers Rights Collective, 2018).

Working in municipally licensed indoor venues in particular offers practitioners greater income security, increased safety, and gives sex workers and the industry as a whole a greater sense of legitimacy (Grant, 2019; Holistic Practitioners' Alliance et al., 2019). Sex workers note that municipal licensing allows them a legalized space to work within a federal policy context that continues to criminalize key aspects of sex work (Benoit, Janson, Smith & Lag, 2017). However, workers report barriers to accessing licensed venues such as high fees, a cap on licenses issued in a municipality or criminal record requirements for licensees (Holistic Practitioners' Alliance et al., 2019; The Naked Truth, n.d.; The SPACES Team, 2016) 2019; The Naked Truth, n.d.; The SPACES Team, 2016. Barriers to accessing licenses can push workers into less visible indoor or outdoor venues, which are not as safe (Chu & Clamen, 2019; Santini & Lam, 2017) or into licensing categories (e.g. holistic practitioner) not explicitly designed to regulate sex work (Grant, 2019).

Some sex workers are frustrated with the legal contradiction of municipalities generating revenue from sex work, while key elements of sex work remain federally criminalized (Benoit et al., 2017). Sex workers also note that specific licensing provisions such as bans on keeping massage room doors locked, prohibitions on security cameras and listing licensees on the public record harm worker safety, health and wellbeing (Chu & Clamen, 2019; Grant, 2019; Santini & Lam, 2017). Sex worker organizations recommend that municipalities reduce barriers to licensing for those who want it and change specific bylaw provisions to reduce the negative impacts on workers (Holistic Practitioners' Alliance et al., 2019). Formerly trafficked persons participating in a municipal consultation recommended that training be added as a condition of obtaining a license (Grant, 2019).

For a summary of academic research examining how licensing can benefit and harm workers, see Appendix IV: Literature Review – Impacts of Body Rub Licensing.

However, none of the materials we reviewed by sex worker organizations explicitly recommended delicensing already-licensed indoor sex work venues or workers within the current federal legal context. As an example, a recent proposal to remove the holistic practitioner licensing category in Toronto² was met with opposition from workers. Workers noted that removing municipal regulation of holistic establishments might make them more vulnerable to enforcement or might result in more onerous provincial laws (Grant, 2019; Holistic Practitioners' Alliance et al., 2019).

Some sex workers prefer at-home or other unlicensed indoor venues or street based work because it allows them to 'fly under the radar', out of the view of enforcement officials and without public record of their work (e.g. licensing documents) (Chu & Clamen, 2019; The SPACES Team, 2016). The documents we reviewed did not provide specific recommendations on how municipalities should regulate unlicensed indoor sex work venues, except that unlicensed workers should not be forced to obtain licenses (The SPACES Team, 2016).

According to sex worker organizations, zoning - including separation distances from sensitive uses (e.g. schools, churches) - can continue to be an appropriate tool for regulating sex service businesses (Jarvis, 2018). However, the most commonly cited zoning concern is that restricting indoor sex work venues to industrial and isolated areas lowers workers' visibility and access to assistance in

2 Many holistic practitioners offer sexual services under this license, which is not as prohibitive to access as a body rub license.

case of an incident, which poses risks to their safety (Canadian Alliance for Sex Work Law Reform, 2017; Holistic Practitioners' Alliance et al., 2019; Martin, 2019)2019; Martin, 2019.

In the materials we reviewed, there was less mention of how municipal regulation impacts outdoor sex workers. Outdoor workers note that jaywalking, loitering and public nuisance bylaws are used to regulate their work, but most commentary focused on policing practices rather than the content of the bylaws. Enforcement of indoor and outdoor sex work by police is discussed below.

A few sex worker organizations provided the example of the City of Vancouver's Sex Work Response Guidelines as a promising practice (Belak et al., 2016; Canadian Alliance for Sex Work Law Reform, 2017; Davis, 2019; Holistic Practitioners' Alliance et al., 2019). These guidelines state explicitly that sex work itself is not a bylaw violation and address some of the issues mentioned above such as transparency of inspection officials.

Some organizations argue that municipalities should regulate sex work in the same way as other businesses, using existing bylaws (Jarvis, 2018). Zoning and business licensing could continue to be used if they were enforced in ways that were proportionate to other body work or service industries, for example, with similar licensing fees and requirements for criminal record checks (Martin, 2019)2019, the Priority and Planning Committee considered the report PPC 19-7 Regulation of Massage Parlours. The Committee tasked Administration to provide a supplemental report which outlines the licensing, enforcement and legal implications respecting Option B (licensing regime.

Some sex workers explicitly state that they welcome some form of government regulation of the industry (Jarvis, 2018; The SPACES Team, 2016). However, others recommend the removal of all municipal regulation of sex work, sometimes along with full federal decriminalization (see section below on decriminalization). In its place, some workers suggest self-regulation of the industry through professional associations (The SPACES Team, 2016) (see section below on self-regulation).

Enforcement of sex work

Sex worker organizations have emphasized the negative impacts of particular enforcement practices on workers. Both indoor and outdoor sex workers have reported that although only the federal government has the jurisdiction to prohibit sex work and despite selling sex being legal, municipal bylaws are used by enforcement officials to effectively control sex work (Lam, 2018; Santini & Lam, 2017). Licensed indoor workers find inspections (by bylaw officials or police) and their financial and legal consequences stressful or prohibitive, which can displace them to other venues (Chu & Clamen, 2019; McBride et al., 2019)2019 this study examined worrying about workplace inspections by authorities amongst indoor sex workers in Vancouver (2014-2017). Outdoor sex workers report that police use bylaws unrelated to sex work (e.g. jaywalking, loitering, public nuisance) to displace them from public spaces (Bruckert & Chabot, 2014; Krüsi et al., 2016). Sex worker organizations note that these bylaws are more often applied to Indigenous, racialized and transgender workers, who are already marginalized (Santini & Lam, 2017).

License inspections by bylaw officials and police cause workplace stress (McBride et al., 2019)2019 this study examined worrying about workplace inspections by authorities amongst indoor sex workers in Vancouver (2014-2017 and can discourage HIV/STI prevention strategies such as condom use or managers sharing health information with workers (Anderson et al., 2015)2019 structural determinants framework, this study assesses the impact of municipal licensing policies and related policing practices across the Greater Vancouver Area (Canada. Asian workers in licensed indoor venues in Toronto and Vancouver report being disproportionately targeted by enforcement officials and municipal inspections being used as a way to investigate workers' immigration status (Grant, 2019; Holistic Practitioners' Alliance et al., 2019; McBride et al., 2019)2019; McBride et al., 2019.

Sex worker organizations recommend that police accompany bylaw officers only if there is reason to suspect the officer is at risk (Canadian Alliance for Sex Work Law Reform, 2017). They also suggest that enforcement officers disclose whether they are with bylaw, police or immigration, decreasing

confusion and stress for workers and enabling them to know what rights they have in each circumstance (Chu & Clamen, 2019; Santini & Lam, 2017; Stella, 2015b).

Sex workers also report widespread stigma, harassment, social profiling, racism, violence, sexual assault and other abuses of power by police (Bruckert & Chabot, 2014; Butterfly (Asian and Migrant Sex Workers Network), 2019; Chu & Clamen, 2019). In addition, sex workers describe inaction or further punishment by police when they report incidents (Vancouver Sex Workers Rights Collective, 2018). These impacts are particularly serious for sex workers who are immigrant, racialized, Indigenous, transgender, unhoused or who live in poverty, especially when police work with immigration officials or child protection agencies to bring enforcement into other parts of workers' lives (Vancouver Sex Workers Rights Collective, 2018). As a result, sex workers report that they do not trust the police to protect them and are unlikely to go to police for help or support (Butterfly (Asian and Migrant Sex Workers Network), 2019; Canadian Alliance for Sex Work Law Reform, 2019; Chu & Clamen, 2019; Holistic Practitioners' Alliance et al., 2019).

Sex worker organizations commonly recommend that police stop all criminal and municipal enforcement of sex work related provisions, as well as cooperation with Canada Border Services Agency, on the basis that it harms workers (Canadian Alliance for Sex Work Law Reform, 2017; Davis, 2019; Migrant Sex Workers Project, n.d.). Some sex worker organizations have recommended the creation of sex worker liaison positions in every police force in Canada (Vancouver Sex Workers Rights Collective, 2018).

The Vancouver Police Department's Sex Work Enforcement Guidelines deprioritized investigating sex work and instead focused on crimes against sex workers (McCann et al., 2013). The department also created a sex worker liaison position. Both of these changes have been commended by many sex worker organizations (Belak et al., 2016; Canadian Alliance for Sex Work Law Reform & Pivot Legal Society, 2016; Holistic Practitioners' Alliance et al., 2019; Sex Workers United Against Violence et al., 2014) although some sex workers report that the guidelines are not being implemented consistently and that mistreatment by the police continues (Krüsi et al., 2016; Vancouver Sex Workers Rights Collective, 2018).

Self-regulation

Self-regulation is not only an option under a decriminalized legal framework but can be pursued alongside existing licensing systems. The BC Coalition of Experiential Communities created the Trade Secrets guide and accompanying certification system, whereby sex workers can become certified through a free training session that offers information on rights, health and safety and where to get support as well as an exam (BC Coalition of Experiential Communities, 2018). As of 2018, the City of Vancouver recognized certification as meeting business licensing requirements and the Vancouver Police Department agreed to use certification instead of ID as proof of legal age (BC Coalition of Experiential Communities, 2018; The Naked Truth, n.d.). According to sex workers administering the program, self-regulation allows standards to emerge from within the industry and can decrease enforcement, increase safety and increase the legitimacy of the industry in the eyes of non-sex workers (The Naked Truth, n.d.).

Other legal reforms

Full federal decriminalization of sex work

Almost all of the commentary published by Canadian sex worker organizations on the regulation of sex work calls for the federal decriminalization of all aspects of sex work. Despite the decriminalization of certain activities in 2014, sex workers note that current provisions contained in legislation negatively impact them.

The prohibition on advertising means that workers have fewer venues (e.g. newspapers, online) to clearly advertise their services and prices and communicate with clients, which hampers the screening and negotiation processes they use as a safety measure (Belak et al., 2016; Canadian Alliance

for Sex Work Law Reform, 2015a; Stella, 2015d). Provisions against procuring, receiving a material benefit and advertising another's sexual services are barriers to practitioners who would prefer to use third parties (e.g. managers, agents) to support their health and safety or the business aspects of their work (Stella, 2015c). This restriction particularly impacts immigrant workers and others who may not have the means to work independently (Canadian Alliance for Sex Work Law Reform, 2015b, 2017). Sex workers in both outdoor and indoor venues report that the criminalization of purchasing means that clients now operate with greater secrecy to avoid being charged, which results in workers working in less populated areas, increasing the risk of violence, or rushing client screening and negotiation about the use of condoms or other health and safety strategies (Belak et al., 2016; Sex Workers United Against Violence et al., 2014; Stella, 2015a).

Sex workers, especially those working indoors, report that they hide evidence of sex work such as condoms or sexual health information from enforcement, further decreasing their ability to use health and safety strategies (Santini & Lam, 2017). Criminalization of any aspect of sex work also harms trust between sex workers and the police, which means that sex workers are unlikely to report incidents of theft or violence (Belak et al., 2016; Benoit et al., 2017). It also gives police greater access to sex workers, which opens the door to mistreatment of workers by police if protections are not in place (Vancouver Sex Workers Rights Collective, 2018). Sex worker organizations argue that the criminalization of any aspect of sex work contributes to stigma, which itself contributes to increased rates of violence against sex workers and to the stigma sex workers face from providers when attempting to access social and health services (Belak et al., 2016; Jarvis, 2018). Sex workers have noted that criminal records are a barrier to exiting the industry (Benoit et al., 2017). Under criminalization, Indigenous and racialized sex workers are more at risk for violence and harm from both clients (because perpetrators know that Indigenous and racialized workers avoid the police) and from police themselves (due to racism and in attempts to target sexual exploitation; see the section below on human trafficking approaches) (Canadian Alliance for Sex Work Law Reform, 2017; Vancouver Sex Workers Rights Collective, 2018).

As a result, sex workers argue that the impacts of current federal legislation contradict PCEPA's stated goal of protecting sex workers from violence. On the contrary, PCEPA provisions enable violence and exploitation through increased stigma, pushing sex workers to less visible locations and promoting distrust of police (Canadian Alliance for Sex Work Law Reform, 2017; Vancouver Sex Workers Rights Collective, 2018). Most sex worker organizations are currently calling for the immediate repeal of these provisions from the Criminal Code.

Some academic research with sex workers has described opposition to decriminalization, noting that some workers fear that decriminalization will increase competition and drive down prices; others recognize that decriminalization or legalization would require them to pay taxes on earnings (Benoit et al., 2017). No opposition to decriminalization was found in materials written by sex worker organizations.

Changes to federal immigration laws

Sex worker organizations also recommend the repeal of federal immigration laws that prohibit anyone who is not a Canadian citizen or a permanent resident, including those who have work permits, from working in any capacity for a sex industry business (Canadian Alliance for Sex Work Law Reform, 2017; SWAN Vancouver Society, 2019). This change would recognize the role that the sex industry plays in offering employment opportunities and therefore financial security to people with precarious immigration status.

Provincial laws

Along with the federal decriminalization of all sex work related activities, organizations recommend ensuring sex workers have access to provincial labour, health and safety protections that are standard in other service and body work industries. Some organizations suggest that provinces should not wait for decriminalization to assure workers of access to basic health and safety provisions (Ho-

listic Practitioners' Alliance et al., 2019).

Specifically, sex worker organizations advocate for the extension of entitlements to workers compensation, minimum wage, the ability to unionize and form professional associations to sex workers (BC Coalition of Experiential Communities, 2011; Butterfly (Asian and Migrant Sex Workers Network), 2019; Canadian Alliance for Sex Work Law Reform, 2017; Canadian Guild for Erotic Labour, n.d.). Sex worker organizations argue that applying existing labour protections to the sex industry in ways similar to other workplaces can be a regulatory strategy for addressing exploitation (Canadian Alliance for Sex Work Law Reform, 2017).

Sex worker organizations have mixed opinions on applying public health standards to sexual service businesses, with some suggesting that personal protective equipment (e.g. condoms) or vaccinations should be encouraged but not mandated, as enforcement of these requirements would perpetuate the criminalization of sex workers (Canadian Alliance for Sex Work Law Reform, 2017).

Human trafficking approaches

In the last twenty years considerable resources at all three levels of government have been directed towards addressing human trafficking in Canada (Migrant Sex Workers Project, 2015; National Task Force on Sex Trafficking of Women and Girls in Canada, 2014). A number of sex worker organizations have published materials describing the negative consequences of these initiatives on consensual sex workers as well as on people who are sexually exploited.

Organizations note that the differences between sexual exploitation and consensual sex work have not been clarified in law, policy or policing, which leads to their conflation (Canadian Alliance for Sex Work Law Reform, 2019; Stella, 2015b). Definitions of trafficking in Canadian criminal law are overbroad, which leads to the overpolicing of sex workers on the pretext of identifying trafficking, contributing to the negative impacts of criminalization described above (Canadian Alliance for Sex Work Law Reform, 2017; Vancouver Sex Workers Rights Collective, 2018). In contrast, some people who have experienced trafficking note that licensing schemes that are poorly enforced enable trafficking to occur (Grant, 2019). Anti-trafficking advocates argue that all sex work is inherently exploitative (BC Coalition of Experiential Communities, 2011), a notion that has been rebutted by sex worker organizations. Sex worker organizations recommend that guidelines be created at all levels of government that clarify the differences between exploitation and consensual sex work.

Muddiness about the differences between sex work and exploitation hinders the identification of real exploitation (Canadian Alliance for Sex Work Law Reform, 2017). Using policing and justice system resources to investigate consensual sex workers diminishes the resources available to tackle exploitation (BC Coalition of Experiential Communities, 2011; Vancouver Sex Workers Rights Collective, 2018). The decreased trust in the police resulting from trafficking approaches also means that sex workers are less likely to report exploitation when it occurs (Canadian Alliance for Sex Work Law Reform, 2017).

Indigenous and immigrant sex workers in particular are overpoliced on the assumption that they are victims of exploitation (Migrant Sex Workers Project, 2015). However, a trafficking framework diverts attention from how Canadian colonial systems produce the violence and lack of access to income, housing, services, and family safety, among other things, that Indigenous people in the sex trade experience (Vancouver Sex Workers Rights Collective, 2018). Asian body rub workers report that they are targeted for raids in an apparent attempt to identify victims of trafficking (Grant, 2019; Holistic Practitioners' Alliance et al., 2019; McBride et al., 2019). Although immigrant sex workers are more likely to use third parties (e.g. managers) because of language barriers and unfamiliarity with Canadian systems, authorities often assume that third parties are exploiting workers (Canadian Alliance for Sex Work Law Reform, 2017). However, organizations and researchers working with immigrant sex workers report that consensual sex work is far more widespread than exploitation (Butterfly (Asian and Migrant Sex Workers Network), 2019; Migrant Sex Workers Project, 2015). For both Indigenous and immigrant sex workers, overpolicing exacerbates distrustful relationships between workers and

police (Butterfly (Asian and Migrant Sex Workers Network), 2019; Vancouver Sex Workers Rights Collective, 2018).

Sex worker organizations argue that trafficking approaches reinforce a victim narrative that erases the agency, strength and self-determination of workers (Vancouver Sex Workers Rights Collective, 2018). Instead, sex workers note that they should be considered primary allies in the fight against trafficking and exploitation as they are best placed and motivated to identify it (BC Coalition of Experiential Communities, 2011). This would require changes to anti-trafficking policies and policing practices and increased support for sex worker organizations (Canadian Alliance for Sex Work Law Reform, 2019). Indigenous and immigrant sex workers in particular recommend that policy and enforcement be examined for racist assumptions about victimhood (Migrant Sex Workers Project, 2015; Vancouver Sex Workers Rights Collective, 2018).

Sex worker organizations argue that existing criminal laws concerning assault, forceful confinement, extortion, trafficking, etc. can be used to combat sexual exploitation (Canadian Alliance for Sex Work Law Reform, 2017). In addition, immigration officials and agencies (e.g. CBSA) should not be involved in trafficking operations due to the risks this poses for sex workers with precarious immigration status (Canadian Alliance for Sex Work Law Reform, 2019).

Additional supports

Sex worker organizations recommend training for licensing staff and municipal service providers to decrease stigma against sex workers and on the differences between sex trafficking, sexual exploitation and consensual sex work (Canadian Alliance for Sex Work Law Reform, 2017; Malla et al., 2019). A decrease in stigma would reduce the likelihood that sex workers avoid city and other services for fear they might be treated disrespectfully or refused service if they disclose their occupation (McBride et al., 2019; Santini & Lam, 2017).

In cities that have passed Access Without Fear policies, organizations emphasize that enforcement officials working with or sharing information with immigration officials (Canada Border Services Agency or federal immigration departments) contravenes these policies (Canadian Alliance for Sex Work Law Reform, 2017; Holistic Practitioners' Alliance et al., 2019; Malla et al., 2019).

In addition, sex worker organizations recommend some non-regulatory strategies that are within the jurisdiction of municipalities, including increased funding for peer-led sex worker organizations, public education to decrease stigma around sex work and broad based initiatives around poverty, housing, education, youth protection, transportation and health care (Canadian Alliance for Sex Work Law Reform, 2017, 2019; Grant, 2019; Jarvis, 2018; Vancouver Sex Workers Rights Collective, 2018).

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Appendix VI: Literature Review - Buyer Demand

Overview

Research Question

The guiding question for this literature review was: What interventions have and are currently being used to reduce buyer demand for commercial sexual services? This included the sub-question: What evidence is available about the effectiveness of these interventions?

Methods

This literature review includes both academic and grey literature. The following databases were searched for academic literature: OAlster, Academic Search Complete, University of Alberta Library, Criminal Justice Abstracts, SociolINDEX with Full Text, Business Source Complete, Directory of Open Access Journals, Science Direct, NORA, SAGE Knowledge, Humanities International Complete, Legal Sources, Public Affairs Index, and Google Scholar. Google search and Google Scholar were used to identify grey literature from North America and international sources. We also identified organizations that advocate for and work toward reducing buyer demand. Organizational websites were searched for reports, evaluation studies, educational resources and current campaign to address and reduce demand. We also received relevant reports from one Edmonton advocacy and support organization.

Search terms included combinations of the following terms: commercial sex, prostitution, sex acts, sex trading, sex trafficking, sexual services, sex work, sexual exploitation, solicitation, demand, buyer, john(s), purchaser, client, men, discourage, reduce, limit, end, programs, strategies, interventions, approaches, city, urban, municipal.

Scope

This review focuses on literature available in English and published after 2010. Citation chaining was used to identify further resources, some of which were published before 2010. These earlier articles were only included if they were deemed central to the debates in the literature and/or frequently cited by others. The review includes strategies to reduce demand for sexual services procured through online mechanisms, but excludes those aimed at online provision of sexual services and pornography. While the effectiveness of national legislation to reduce buyer demand by decriminalizing selling and focusing on persecution of buyers or traffickers is much debated in the literature, it is outside the scope of this paper to include these debates. Likewise, debates about the extent to which demand and supply concepts are suitable for the sex industry, which some argue differs from other economies, are not within the scope of this literature review. The focus here is on strategies to reduce primary buyer demand (those buying sexual services). Literature on efforts aimed at identifying and supporting victims of human trafficking or reducing traffickers demand for sex workers are therefore excluded.

Language

Recognizing the importance of language in describing a phenomenon, this report uses the terms sex worker, sex industry, sexual services and other terms that are consistent with many, though not all, of the articles found in the literature review. While objections may be raised that terms like sex work do not fully capture the exploitation faced by women who are coerced, trafficked or otherwise forced to provide sexual services, we have opted to use this language consistently for the sake of clarity. We do not intend to communicate a position about what the phenomenon is or isn't. In addition, we often use the gender distinctions of male/female or men/women in this report, even though we know that binaries are highly problematic and do not capture the range of gender identities. However, much of the literature refers to male buyers and female providers of sexual services.

Findings

Contextual Factors

Interventions to reduce buyer demand are framed by a variety of contextual factors including: legislation; gendered and structural inequity; demand, victimization and trafficking; understanding buyers; and the interactions between licensing and buyer demand.

Legislation

Buyer demand is frequently approached through national legislation that decriminalizes selling and keeps buying and living off the avails illegal. Laws that govern and impact sex work are a key intervention point and as a result, a great deal of the literature on buyer-demand reduction argues for changes to legislation that decriminalizes selling sexual services (Matthews, 2018). In 2014, Canada adopted legislation (Bill C-36) that decriminalizes selling sexual service (Canada, 2018). This approach, often referred to as the Nordic model, focuses on criminalizing buyers of sexual services, traffickers and those profiting from the industry. The Nordic model is built on the recognition of sexual exploitation in the sex industry, particularly of women and girls, and directs attention to reducing their harm while also addressing buyer demand (Canada, 2018). Thus Canada's approach has been described as a harm reduction strategy that recognizes people involved in selling as victims of sexual exploitation (Canada, 2018).

Bill C-36 is the context within which municipal buyer demand reduction strategies must currently be enacted, but it is not the only contextual factor. Actions to address buyer demand must respond to and align with the legislative context in a robust way (Weatherburn & Brière, 2017). For example, Vanwesenbeeck (2017) cited immigration policies as an area of legislation that is important to factor in when regulating sexual services. Economic legislation and policies that contribute to the feminization of poverty were also noted as important if interventions are aimed at addressing root causes of sexual exploitation (Harrington, 2018; Vanwesenbeeck, 2017).

Gendered and Structural Inequity

It is impossible to talk about the demand for sexual services without noting the role of gender discrimination and inequity overall as contributors to the vulnerability of women and girls to commercial sexual exploitation (Wilson, Critelli & Rittnar, 2015). Growth in the sex industry is fuelled almost exclusively by males buying sexual services from women, girls, boys and men. (Aronowitz & Koning 2014; Barrett, 2013)

Efforts to reduce buyer demand must recognize gender and other inequities influencing sex workers' lives. Martin et al. (2017) noted that sex workers, especially those who are being exploited, may lack access to adequate housing, food and other basic needs, and depend on the income from their work to survive. Any efforts to reduce buyer demand, the author argued, must acknowledge that a reduction in demand would increase the vulnerability of sex workers. These ongoing vulnerabilities are the result of ongoing inequity and should be addressed through the provision of safety net services, adequate healthcare and housing, educational opportunities and living wages. The authors suggest that governments need to work harder to address these deep structural inequities.

Demand and Victimization

Interest in buyer demand is supported by a reframing that moves from a focus on women as offenders for selling sexual services, to a focus on men as offenders for buying sexual services (Matthews, 2018). In this reframing, women are recast as either economic or social victims and men as the cause of this victimization through the purchase of sexual services. (Busick, 2015; Majic, 2017; Matthews, 2018). The reframing is a partially a result of increased recognition of the abuse and violence experienced by women in the sex trade (Majic, 2018; Matthews, 2018), the inappropriateness of sanctions such as fines for women who make their living in the sex industry, the power and

motivational differences between women selling sex and the male buyers, and the debunking of the myth that men need to buy sex to satisfy unmet biological needs have contributed to this reframing (Matthews, 2018).

Trafficking and Sex Work

Additionally, the growing awareness of sex trafficking, particularly the understanding that men may be buying sexual services from women who are coerced or forced into the sex industry, has contributed to a reframing that positions women selling sexual services as victims (Matthews, 2018). There is a tendency to reduce sex work to trafficking, resulting in increased police attention and increased calls for demand reduction strategies (Berger, 2012; Vanwesenbeeck, 2017; Vogel, 2015). Hughes (2004) suggested that it is difficult, except in the most obvious of cases, to distinguish between buyers of sexual services and those seeking a trafficked person specifically. Barrett (2013) pointed out that the links between prostitution and trafficking are unclear; legally they are often subject to different criminal laws but practically, they are inseparable, making it difficult to determine who participates in the sex industry voluntarily, independently and legally and who is lured, groomed, coerced and forced into selling sex by others. Sex trafficking involves the same activity as prostitution-buying sexual services- and therefore the buyer demand fuelling both industries is often treated as if it were one (Barrett, 2013; Vogel, 2015). However, Matthews (2018) cautioned that while demand reduction strategies may not distinguish between sex work and trafficking, the buyers of sexual services knowingly involving children and trafficked women are different from buyers seeking sexual services for other reasons.

Understanding Buyers

Understanding buyers of sexual services is an area of focus for many research studies on buyer demand. Studies examine common characteristics, demographics, attitudes and beliefs, behaviors and other factors relevant to buyer's demand for sexual services in order to identify the most appropriate interventions (e.g. Demand Abolition, 2018; Durchslag & Goswami, 2008; Malamuth & Jarret, 2015; Vaknin, 2017). Other studies try to delineate why buyers stop purchasing sex (e.g. Ziff, 2013). However, findings of these studies are often contradictory. While profiling men who buy sexual services is important, Matthews (2018) emphasized the importance of recognizing that men who purchase sexual services are not a homogenous group; they are diverse and shaped by complex motivations. Men give many different reasons for buying sex (Matthews, 2018; Wakefield & Brents, 2020) and there is wide variety in levels of demand amongst men in different countries, a factor that is probably shaped by both legislation and culture (Matthews, 2018). Further, little research is available on interventions emerging from a more nuanced understanding of buyers and, importantly, on the outcomes and impact of those interventions.

Licensing and Buyer Demand

Matthews (2018) explored the literature to understand if and how licensing impacts buyer demand. He noted that some authors claim that licensing legitimizes the sex industry and sends a message that buying and selling sex is condoned. However, his examination of the research on legalization and licensing in Queensland and New South Wales Australia and in the Netherlands, demonstrated two very different impacts: in one case decreasing demand and in another increasing it. In Australia, legalization and licensing led to a large growth in brothels and the sex industry surrounding them (Matthews, 2018). In the Netherlands, rigorous licensing requirements has led to a decrease in the demand for licensed sexual services, but criminal networks and the illegal sexual services sector have grown. Matthews (2018) concluded that where licensing is enforced and implemented rigorously, and combined with a commitment to anti-trafficking and strict surveillance of purchasers, it can serve to reduce demand. He suggested that the impact of legislation and licensing can differ depending on the location, culture, its implementation and its enforcement. The sex industry is diverse and fragmented with licensed sex workers, escorts and those working independently subject to different forms of formal and informal organization and different regulations (Matthews, 2018). As

both Australia and the Netherlands demonstrate, changes to one part of the sex industry will impact the others.

Types of interventions

A wide variety of interventions and strategies have been used to address demand. These interventions include education and awareness efforts aimed at buyers, potential buyers and the general public as well as penalties and enforcement strategies used to sanction buyers and deter potential buyers. In the sections below we provide an overview of these interventions, how they are used and assessments of their effectiveness. The following interventions are included:

- Education and Awareness Strategies
 - Offender programs: “John schools”
 - School-based education
 - Public awareness and prevention

- Penalties and Enforcement Strategies
 - Reverse stings
 - Seizing autos
 - Suspending licenses
 - Tracking suspected buyers
 - Inclusion/exclusion zones
 - Shaming
 - Use of technology

Education and Awareness Strategies

Offender education and awareness strategies, school-based education, and public awareness campaigns hoping to deter potential buyers are key components of demand reduction efforts.

Offender Programs – “John Schools”

Description of John Schools

‘John schools’, as they are commonly described, are educational interventions targeted towards men who have been arrested for purchasing sex and are meant to dissuade men from purchasing sex in the future (Berger, 2012; Lederer, 2011; Manitoba, 2019; Shively et al., 2012; Vaknin, 2017). Programs are based on the idea that an increased awareness of the harms of purchasing sex will reduce demand for services. John schools were first established in the US in the early and mid-1990’s and are now offered in a number of cities across Canada, the US and around the world (Vaknin, 2017). Programs can either be diversionary, in that they allow participants to avoid criminal charges if they complete the program, or attendance can be a condition of sentencing (Shively et. al., 2012). Program interventions are delivered either as one-time events or as a series of education and counselling sessions. Typical John school curriculum includes the negative impacts of commercial sex on providers, buyers and communities. Information may be delivered by sex workers, social workers, community members and others who have experienced or can speak to the harmful impacts of commercial sex (Shively et al., 2012).

Examples of John Schools

The following are two examples of John schools in Canada:

- The Sex Trade Offender Program (STOP) in Edmonton is a post-court diversion program for offenders who have been charged with S. 286.1.1 of the Criminal Code, Obtaining Sexual Services for Consideration (CEASE, n.d.) and is delivered by the Centre to End all Sexual Exploitation (CEASE). Participants are primarily first-time offenders but others may attend the program as part of their probation or without being charged for an offence. The program is delivered over the course of a day and topics include the law on offences, the consequences of violating laws, health issues related to purchasing sex and the impact of buying sex on sex workers, their families and communities. There have been no formal evaluation studies that measure the outcomes or longer term impacts of the program, largely due to a lack of funding to undertake such evaluations (K. Quinn, personal communication, March 26, 2020).
- The Prostitution Offender Program (POP) in Winnipeg is offered by The Salvation Army Correctional and Justice Services Winnipeg, in partnership with the Manitoba Prosecution Service, the Winnipeg Police Service and community-based social service agencies (Manitoba, 2019). The POP is targeted to first time offenders who have been charged or convicted under the Criminal Code is Obtaining sexual services for Consideration or Communicating, with the aim of encouraging buyers to view purchasing sexual services as a form of harm and exploitation. Once participants complete the program, their charges are stayed and they do not retain a criminal record.

Data on recidivism rates collected by the Manitoba Prosecution Service between 2008 and 2010 show that a majority of POP participants did not recidivate in the six to eight years following their participation in the program (Manitoba, 2019). However, these statistics only apply to re-offenders who are arrested and charged and there is no data available on participants who may continue to purchase sex but are not arrested and charged..

Effectiveness of John Schools

Although John schools are the most common educational interventions used to deter purchasers from accessing commercial sex, there is a very little data on their effectiveness (Manitoba, 2019). A widely cited 2008 evaluation of one of the first John school programs, the First Offender Prostitution Program (FOPP) in San Francisco, found that recidivism decreased from 8.8% to 4.5% in an annual period, and these reductions were sustained over time (Shively et al., 2012). However, the research methods used in this study have been criticized. Lovell & Jordan (2012) assert that claims of reductions in recidivism are based on faulty methodology and issues in the underlying design of the study. For example, the evaluation did not compare recidivism rates of men who participated in FOPP with men who could have participated. Instead, the recidivism rates in San Francisco are compared to overall rates in California, effectively treating men in California as a control group, which Lovell and Jordan feel is invalid, given the differences in the two populations. The recidivism rates in the two groups being compared were also different at the start of the evaluation period. The authors feel that the many methodological issues in the study invalidate the results that indicate positive outcomes of FOPP.

Much of the information on the positive impact of John schools is based on participants' comments at the end of the program. Barret (2013) reports studies that show a high number of participants state they will not purchase sex again; however, there is no follow up to ascertain whether this intention translates into future behaviour. In one study that asked men what would deter them from purchasing sex, both buyers and non buyers responded that their identity being exposed or a penalty such as a fine or suspension of their driver's license would be more of a deterrent than having to attend an educational program (Wilson et al., 2015).

In addition to questions about effectiveness of John schools, a further limitation is that they only reach a small percentage of sex buyers after they have made the decision to purchase sex and that the intervention has no impact on other buyers or those who intend to purchase sex in the future (Manitoba, 2019).

School-based Education

Description of School-based Education

Some authors suggest a school-based educational campaign, similar to bullying prevention efforts, would be helpful in addressing sexual exploitation (Patel, 2015; Matthews, 2018), and that students should be exposed to programs that teach gender respect and equal treatment of women. In their research on the provincial strategy to address sexual exploitation in Manitoba, researchers conducted focus groups with men in the Prostitution Offender Program (POP) and found that over 45% believed public education is a good strategy for reaching men and boys and school-based education would increase awareness about the impacts of purchasing sexual services (Manitoba, 2019).

Examples of School-based Education

In 2010, the Chicago Alliance Against Sexual Exploitation (CAASE) developed a program called 'Empowering Young Men to End Sexual Exploitation' to educate young men about the harms of purchasing sex and to encourage them to support movements to address violence against women (Patel, 2014). The young men who completed the program reported changes in how they think about commercial sex. CAASE also offers resources for parents and guardians that include information on issues of sexual exploitation, and lesson plans and toolkits for high school teachers and coaches (Shively et al., 2012).

'Man UP: A Youth Series to Transform the Male Perspective of Women and Its Impact on Sexual Exploitation' was a program delivered in the Connecticut Juvenile Training School (Patel, 2014). The goal of the program was to reduce the demand purchasing sex by encourage boys to reshape their ideas about masculinity. The author states that the pilot program showed promising results; however there is no information available on the effectiveness of this program.

Effectiveness of School-based Education

In one study designed to investigate the factors associated with the purchase of sex by men in the UK, the authors found a correlation between participation in sex education and a negative impact on purchasing sex (Strom & Locatelli, 2017). Although sex education is not compulsory in all schools, the authors suggests that ensuring all primary and secondary school students receive sex education may reduce the chances that they will purchase sex later in their lives.

Although there are a few studies that explore the impact of school based education on buyer demand, overall, there is a lack of literature on school education programs and few studies that evaluate their effectiveness (Strom & Locatelli, 2017).

Public Awareness and Prevention Campaigns

Description of Awareness Campaigns

Public awareness and education campaigns are another category of interventions commonly utilized to reduce buyer demand. Awareness programs typically target current and potential purchasers of sex to draw attention to the legal implications, penalties and harms associated with purchasing sex or trafficking. Campaigns are also used to inform the broader public of these issues, to lower public tolerance of commercial sex and to garner community support for law enforcement interventions (Shively et al., 2012). The media used to communicate these messages can include posters, signs

and billboards as well as online campaigns using websites and social media.

Examples of Awareness Campaigns

An oft-cited campaign that received a lot of national press attention and awards was the ‘Dear John’ campaign that ran from 2006 to 2008 in Atlanta Georgia. The campaign had multiple goals – dissuading buyers from purchasing sex, increasing public awareness and encouraging community based organizations to take action against prostitution and sex trafficking (NCCD, 2017; Shively et al., 2012). The campaign was initiated by the mayor’s office and used multiple media to communicate the messages, including public service announcements on radio and TV, posters on public transportation, as well as web-based content. The ‘Dear John’ messages included a plea from the mayor directed to potential purchasers of sex to consider the harms of purchasing sex, especially from underage women. The campaign was accompanied by other efforts that included a john school as well as revising state legislation related to prostitution. Although there was no formal evaluation of the initiative, the campaign is thought to have had a positive impact on encouraging new initiatives and action to combat demand for commercial sex (Shively et al., 2012). Since then, various cities in the US have run similar ‘Dear John’ campaigns, using the Atlanta campaign as a model.

As a more recent and local example, the Edmonton Police Service (EPS) has implemented a number of campaigns to address buyer demand. Past awareness campaigns included messages such as “This community doesn’t tolerate exploitation - report-a-john” on billboards, “Buying Sex is a Crime: Don’t Be Part of the Problem” in print media, “What if it was your daughter?” and “You Cruise, You Lose” on transit ads (Quinn, 2020). In January 2020, the EPS Human Trafficking & Exploitation Unit began a new awareness campaign targeted towards people trying to purchase sex online (EPS, 2020). When certain keywords and phrases are entered as search terms, an ad pops up and the person searching is redirected to the EPS web page ‘Buying sex? Rethink your choice’. The message #rethinkyourchoice is being reinforced through social media platforms such as Facebook, Twitter and Instagram. Campaign messages also remind people that buying sex is a crime and that the offence could affect their ability to travel outside Canada. Between January 3 and February 26 2020, the social media ads were accessed by over 900,000 people and over 5,000 people access the linked EPS website. To assess the effectiveness of the campaign in deterring buyers, EPS conducted two stings in November 2019 and March 2020. The data seems to indicate that there is some impact, but is not conclusive at this point. EPS will continue to gather data and adjust interventions as needed.

Examples of similar campaigns that use a variety of media to discourage buyers can be found in cities across North America and around the world.

- In 2019, the London Abused Women’s Centre (LAWC) coordinated a digital ad campaign to address sex trafficking and reduce buyer demand in the London, Ontario area and along the Highway 401 corridor (“London-based sex-trafficking awareness campaign”, 2019). Similar to the current EPS campaign, the London campaign targeted potential buyers through ads on social media platforms and through Google search pop up ads. Based on statistics on the frequency with which the adds were accessed, the campaign was referred to as “an overwhelming success”.
- In 2014, police departments, city prosecuting offices, social service organizations and community leaders in King County, Washington launched the “Buy Beware” initiative (CEASE, 2014; NCCD, 2017). Ads provided information on the negative impacts of prostitution and the legal implications of purchasing sex and online ads would pop up when people used certain search terms related to buying sex. The awareness campaign, combined with an educational intervention for buyers and increased law enforcement, resulted in a substantial increase in the number of buyer arrests (NCCD, 2017).

- In 2018 state and community agencies in Kansas partnered with Demand an End, an organization that works towards reducing demand for commercial sex to launch the Demand an End campaign (Kansas Attorney General’s Office, 2018). The campaign includes posters to increase awareness of the issues and resources for agencies to support efforts to reduce demand.
- In their comparative study of Switzerland, Croatia, Sweden, and Poland, Weatherburn and Brière (2017) documented a number of awareness strategies to reduce buyer demand. Croatia conducted a yearlong print and social media campaign with the slogan “Real men don’t buy women” to impact potential buyers’ awareness of victims of human trafficking. Non-governmental organizations in Sweden, organized a campaign to sensitize potential buyers to victims of human trafficking. The campaign included information, fictional and real-life stories and issues for discussion, and was distributed to youth centres and schools throughout Sweden.

Effectiveness of Awareness Campaigns

In his analysis of buyer demand reduction strategies, Matthews (2018) suggested that while legislation can deter buyers, its effectiveness is shaped by informal sanctions and social norms. He noted that informal sanctions from peer groups, family or significant others have been shown to particularly effective. Thus programs aimed at changing social norms, particularly those that raise awareness of the coercion, manipulation and harm of women selling sexual services, have an important role to play in reducing buyer demand (Matthews, 2018). Matthews (2018) argued that many campaigns seeking to deter buyers are emerging in different countries and these reflect the growing interest in shaping public opinion but they are problematically short lived, local, underfunded and not subject to evaluation to determine their effectiveness. Effective campaigns would need to be larger scale, sustainable, systematically implemented and rigorously evaluated (Matthews, 2018). Berger (2012) also questioned the efficacy of awareness campaigns, noting that although it is possible to estimate the number of impressions these campaigns have made or how often they are encountered by the public, it is difficult to determine their impact.

Penalties and Enforcement Strategies

Busick (2015) argued that addressing buyer demand for commercial sexual services requires adequate consequences that serve as an effective deterrent and support the laws and regulations that seek to make it more difficult for men to find and purchase sexual services. In the section below we explore a number of the suggested strategies.

Reverse Stings

Reverse stings are one idea put forward to support the arrest of buyers and reduce their demand (Aronowitz & Koning, 2014; Alizada, 2019; Shively, et al., 2012). In a reverse sting operation, police may pose as a seller in order to catch buyers. For example, in Alizada’s (2019) research on the Buyer Beware program, introduced in 2014, in King County, Washington, USA, the author described the reverse-sting approach as police posing as a person selling sexual services in order to meet with and arrest buyers. Reverse stings can be enacted in a variety of ways, including over the internet (Lederer, 2011). Reverse sting operations have been criticized for making selling sexual services more dangerous and pushing sex work further underground into less safe situations because buyers are afraid of being arrested (Berger, 2012). Further, as Shively et al. (2012) explained, decoy posing as a sex seller can be resource intensive, requiring an average of 6.7 support officers for each reverse sting.

One US Department of Justice study conducted in 2007 indicates that arrest had the effect of reducing the likelihood of future buying by as much as 70% for those arrested (Brewer et al., 2007 as cited in Aronowitz & Koning, 2014). However, the authors cautioned that even though the most direct way to reduce buyer demand is to arrest and charge buyers, often through reverse sting operations, this strategy is unlikely to have a major impact because the number of buyers arrested is small. Arrests are also resource intensive, and despite affecting the arrested buyer, they do not serve as a substantial deterrent to other potential buyers (Aronowitz & Koning, 2014).

Seizing Autos

In Hughes (2004) exploration of strategies to reduce buyer demand for sexual services, the author pointed to car confiscation programs implemented in the US. Vehicles of buyers arrested for attempting to buy sexual services are confiscated, the author explains, and in some cases the State assumes ownership of them. In other cases, the vehicle is held until the buyer pays a fine to the city and towing costs to the tow truck company (Hughes, 2004). Hughes (2004) also noted that in some cities the buyer is arrested and offered a court diversion agreement that includes mandatory attendance at a john school. Hughes (2004) described a similar strategy in Los Angeles, California where buyer's vehicles are confiscated in a police sting and sold back to them at a significant cost. The author explained that the media are invited to the sting in order to bring public attention, and public shaming, to the buyers. The intent is to offer a significant financial and reputational deterrent in order to reduce buyer demand (Hughes, 2004). No evaluation of the effectiveness of these strategies was offered.

Tracking Suspected Buyers

Using information that challenges anonymity and databases to record people suspected of purchasing sexual services are strategies used to reduce buyer demand. For example, Winnipeg Police Service Deter and Identify Sex Trade Consumers (D.I.S.C.) strategy identifies people who are driving around part of the city where buying sex is known to take place, and who are behaving in ways that suggest that they may be looking for people selling sexual services (Manitoba, 2019). In this strategy, police contact the identified individuals so that they know they have been seen. The individual's information is entered into a national database, which identifies them as consumers of prostitution even though they have not been arrested or charged. The idea is that the removal of anonymity will deter them from purchasing sexual services (Manitoba, 2019). No information on the constitutionality or privacy concerns of identifying someone as a sex buyer without arrest or charges was provided. Likewise, no evaluation information on the effectiveness of this strategy was provided.

Inclusion/ Exclusion Zones

In one buyer demand strategy, buyers are excluded from entering certain zones. For example, restraining orders are served that prohibit known buyers from entering zones of the city where sexual services are known to be offered (Berger, 2012). The strategy has been critiqued, however, because buyers sometimes live in zones where sexual services are offered and may end up excluded from their housing and other community supports.

In another strategy, buyers are purposely directed to an inclusion zone. For example, Holland's city-initiated inclusion areas, tippelzones, are designated geographical zones where soliciting and purchasing sex is tolerated between strict opening and closing hours at night (Bisschop, Kastoryano & van der Klaauw (2015). Bisschop et al. (2015) explained that the zones that provide a supervised area to rest, washing amenities, clean needles, links to local medical care, and a private area for sex workers and clients to engage in sexual services. In their assessment of crime in tippelzones, Bisschop et al. demonstrated that opening a tippelzone led to a a 30%-40% reduction in sexual abuse and rape in the first two years after opening. The authors did not provide information on the effectiveness of tippelzones in reducing buyer demand and they noted that only four tippelzones remain in Holland after the controversial closure of many zones due to inter-worker conflict and violence amongst sex workers.

Shaming

Naming and shaming strategies, found in both Canada and US, use public embarrassment to deter potential buyers (Aronowitz & Koning, 2014). People arrested for buying sexual services might have their names published in newspapers, videos put on the internet and television, be featured on billboards, or have their name, birthdate and hometown publicly shared (Aronowitz & Koning, 2014; Berger, 2012). Barrett (2013) identified a shaming strategy that included letters sent by police to the

buyer's homes or workplace identifying their actions. While officials claim shaming strategies are effective, no evidence of effectiveness is provided (Aronowitz & Koning, 2014; Berger, 2012), nor are questions of privacy related to Canadian legislation addressed.

In February 2019, police in London, Ontario announced that they would start releasing the names of men who have been charged with buying sex in an effort to combat trafficking and reduce buyer demand (Carruthers, 2019). The announcement however, encountered a swift response from organizations that advocate for and support sex workers (Carruthers & Richmond, 2019). Advocates and researchers felt that, to avoid being caught, buyers will take sex workers to even more hidden and remote locations to avoid detection and arrest and that naming buyers results in increased risks for sex workers.

Use of Technology

In Canada the bulk of sexual services today are advertised and arranged over the internet (Barrett, 2013). Barrett (2013) suggested a number of approaches to policing the sex industry on the internet and while most are aimed at identifying trafficked persons, there is opportunity to make use of these approaches to identify buyers as well. Strategies include:

- **Data mining:** reviewing large data sets using algorithms to identify buying and selling of sexual services and/or identify risk factors for trafficking.
- **New identification technologies:** technological mapping of photos used in the advertisement of sexual services, for example, to help match photos of human trafficking victims to photos of missing children. (It is not clear how strategy this could be used to identify buyers).
- **Global mapping:** using location-based information to map the location of individuals mentioned in online ads, which enables monitoring and tracking of victims and survivors over geographic space and may assist with mapping buyers.
- **Public-private partnerships:** partnering with technology developers to create specialized software to identify and interrupt buyers.

When buyers use various communication technologies to share information, advertise victims, and coordinate among themselves, they increase the chances of leaving digital traces that can be followed (Wolf et al., 2012). Forensic examiners can recover digital evidence from computers and other electronic devices and officers can monitor suspected individual's activities online or conduct web-based reverse stings by posting decoy advertisements online or responding to real online ads.

Wolf et al. (2010) suggested that online platforms also provide a way to deliver online treatments for buyer education, treatment of sex addiction and other demand reduction efforts similar to those used in the substance abuse field that employ virtual reality platforms.

Effectiveness of Penalties and Enforcement Strategies

Penalties and enforcement strategies are often contextual, their implementation impacted by legislation, levels of enforcement and overall support for the use of punitive measures, and they are rarely thoroughly evaluated. A common challenge of any evaluation effort is the issue of casual attribution, that is, assessing the specific impact of particular intervention and linking it to the outcomes. This challenge is relevant to penalty and enforcement strategies which may be implemented in tandem with other strategies, for example strategies to enhance public education and awareness. This makes it difficult to assess the effectiveness of one particular program component in isolation (Shively et al., 2012).

Aronowitz and Koning (2014) concluded that when addressing buyer demand, legal and punitive measures may have limited success or displace the problem to other areas. Matthews (2018) studies a range of approaches to decreasing buyer demand including formal sanctions such as warnings, arrest, fines and public shaming strategies. Matthews cited research that demonstrates most of the public shaming strategies are not effective and many police forces no longer use them. Fines, threat

of arrest and warnings would appear to be more effective, he argued, at least based on research from the UK. However, more regular buyers and people who buy sex to feed an addiction would require tougher sanctions than those that would deter the occasional buyers (Matthews, 2018).

Barrett and Shaw (2013) argued that promising practices for municipalities primarily include training municipal staff, bylaw officers and police through high quality programs that are developed with and include people with lived experience of the sex industry. Challenges, the authors suggested, include a lack of police and bylaw officers to ensure laws and municipal regulations are followed, and difficulty regulating the industry because the vast majority of it takes place outside licensed environments.

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