

# PIVOT

## LEGAL SOCIETY

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**Submission to the Special Rapporteur on Violence Against Women and Girls for  
its Report to the UN Human Rights Council on Prostitution and Violence Against  
Women and Girls**

**January 30, 2024**

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### **Overview**

Pivot Legal Society is located in the Downtown Eastside (DTES) of so-called Vancouver on stolen lands of the unceded territories of the xʷməθkʷəy̓əm (Musqueam Indian Band), Skwxwú7mesh (Squamish Nation), and səilwətaʔ (Tsleil-Waututh Nation). Pivot works in partnership with communities affected by poverty and social exclusion to identify priorities and develop solutions to complex human rights issues. We combine strategic litigation on constitutional rights affecting sex workers, drug policy, homelessness, anti-stigma, and policing, with high impact political education and advocacy campaigns to inform systemic change, evidence-based policy and law reform on pressing social issues.

Despite calls from grassroots civil society organizations and directly impacted communities to divest from policing, profiling, criminal prosecution, and other carceral mechanisms that expand the prison industrial complex, to properly address both societal and interpersonal harms, repressive criminal laws and policies have been proposed and legislation has been introduced globally, and in so-called Canada, including PCEPA<sup>i</sup> and other criminal laws that have consistently been shown to violate sex workers' rights, health and safety. The purpose of this brief is to offer an analysis that is rooted in anti-colonial, intersectional praxis, that situates police violence among the primary, structural harms that perpetuate interpersonal, targeted violence. We view a fulsome human rights-based approach to gender violence as one that is attuned to the needs of sex worker communities that are necessarily shaped and constrained by intersecting axes of power and, privilege such as race, gender, and colonial state violence.

1. How effective have legislative frameworks and policies been in preventing and responding to violence against women and girls in sex work?

### **Demand legislation is not an appropriate evidence-based response to the structural harms and violence experienced by sex workers**

Globally sex workers have long been advocating for the repeal of sex work-specific laws to address state repression that increases sex workers' vulnerability to violence.<sup>ii</sup> Yet, current legislative frameworks, including in so-called Canada, have implemented carceral, "end-demand" approaches to sex work laws and policy. Briefly, "end-demand" frameworks, purport to regulate sex work as inherently exploitative with the aim of eradicating it altogether, despite the fact that there is no evidence in Sweden, where this Nordic model began, or in Canada, that police enforcement of clients has a deterrent effect that reduces sex work.<sup>iii</sup> Within such contexts, policing and other carceral frameworks are used as the primary response to social issues, including gender violence which is positioned as distinct from policing violence, racial capitalism, militarism and other forms of state violence and repression. In 2014, Canada's federal government introduced the *Protection of Communities and Persons Exploited Act* (PCEPA), an "end demand" legislative model, which implemented several broad categories of sex work-specific offences including: communication for offering sexual services in a public place, impeding or stopping traffic for the trade of sexual services; purchasing sexual services; receiving a material benefit from the purchase of sex; procuring a person to provide sexual services, and, third party advertising of sexual services.

PCEPA followed a unanimous ruling in *Bedford* by the Supreme Court of Canada striking down three sex work-specific offences, living on the avails of prostitution, keeping a common bawdy house, and communicating in public for the purposes of selling sex, for violating sex workers constitutional rights to security of the person, including their ability to protect themselves from violence, abuse and HIV/STI prevalence.<sup>iv</sup> The SCC found that the criminal code offences, and resulting criminalization, imposed “dangerous conditions on prostitution that prevent people engaged in a risky but legal activity from taking steps to protect themselves from the risks.”<sup>v</sup>

Qualitative research and data from Canada consistently shows that criminalization and policing of clients, under demand legislative models, shape sex workers’ health and safety, and that police-based enforcement heighten the risk of violence, by reducing sex workers’ ability to employ client screening mechanisms and negotiate safer terms of sexual transactions, including condom use for prevention of HIV/STI prevalence.<sup>vi</sup> It is well documented that within criminalized contexts stigma and discrimination are significantly heightened,<sup>vii</sup> and create the conditions in which perpetrators of violence, including law enforcement, are emboldened to enact racial and gender violence.<sup>viii</sup> As documented in a 2016 evaluation of Canada’s impugned laws based on sex workers accounts of being harassed, stopped, interrogated, and otherwise impacted by criminalization, Pivot concluded that the laws criminalizing sex work “are not the way to end endemic violence against women, or dismantle the economic and social barriers affecting people who have been disadvantaged by poverty.”<sup>ix</sup>

In 2022, Canada’s Parliamentary Standing Committee on Justice and Human Rights recommended repeal of the criminal and immigration laws proscribing sex work, including prohibitions on communicating for the purpose of offering sexual services – highlighting that repressive immigration laws put migrant workers at an elevated risk of violence.<sup>x</sup> This decriminalization approach is consistent with various UN bodies, and international health and human rights experts, such as UNAIDS, WHO, and Amnesty International, that have recognized that sex work criminalization places sex workers at increased risk of harm, and that criminal laws prohibiting sex work perpetuate systemic marginalization and gender violence.<sup>xi</sup>

2. What forms of violence are sex workers subjected to (physical, psychological, sexual, economic, administrative, or other)?

### **Endemic gender violence is not stopped by racist and gendered police-based strategies**

Sex workers endure gender violence perpetrated both interpersonally, and institutionally, by individual predators and law enforcement alike.<sup>xii</sup> Within criminalized contexts, sex workers are not immune to the socio-political factors that reproduce structural vulnerabilities to violence. Research shows that the rates at which sex workers experience violence, state-inflicted or otherwise, is connected to structural, racial and gender inequalities related to poverty, racism, ableism, rather than sex work itself.<sup>xiii</sup> It is well documented that Indigenous and Afro-Indigenous peoples experience significant systemic harm, alienation, abuse,<sup>xiv</sup> racial profiling, and violence from policing, law enforcement and criminal legal systems (such as family policing that lead to child apprehension).<sup>xv</sup> In our view, the Special Rapporteur on Violence Against Women’s framing of the “interrelationship between prostitution and violence”, positions sex work as inherently exploitative and discounts the root causes of gender violence, being colonialism, racial capitalism, and imperialism which together produce violent policing and prison systems to uphold racial hierarchies, economic disparities, and structural poverty that constrain the lives of Black, Brown and Indigenous communities. As noted above, policing-based frameworks invariably place sex workers at greater risk for targeted physical violence perpetrated by individuals and by police.

Policing violence is a continuum of harm that ranges from intimidation or police abuse (e.g., forced confinement, detention, confiscation of condoms, other harm reduction supplies and property, and police raids). It also involves excessive use of force, murder, and police sexual violence (e.g., sexual harassment, extortion, assault, unreasonable searches) or harm perpetrated by law enforcement officers whether on or off-duty. Systemic police abuse (including extortion for money or sexual services), arbitrary arrest and detention are examples of the discrimination and rights violations experienced by sex workers, as recognized in 2023 by the UN Human Rights Council Working Group on Discrimination Against Women and Girls.<sup>xvi</sup> Research has consistently shown that within criminalized contexts, police target survivors, including sex workers, for sexual harassment, extortion and assault.<sup>xvii</sup> A 2020 study evaluating sex workers reporting of violence to police concluded that criminalization engenders police violence against sex workers, namely, abuse, harassment, physical and sexual assault, and forced sex under threat of arrest, and remains a clear barrier to access to justice for sex workers.<sup>xviii</sup> The study found that among sex workers who experienced recent violence, 38.2% of all participants and 12.7% of im/migrants reported violence to police, and there was no significant change in violence reporting after demand legislation was implemented.

### **Disproportionate impact of policing violence and enforcement of punitive laws on Black, Indigenous and racialized communities**

Race-based policing has historically functioned to enact colonial harm against Black, Indigenous, queer and gender non-conforming people. Recognizing the international and domestic commitments of Canada and BC through its adoption of the *Universal Declaration on the Rights of Indigenous Peoples*,<sup>xix</sup> it is imperative to highlight the impacts of criminalization and policing on Indigenous communities, and the ways in which reliance on policing institutions has historically failed to disrupt state-sanctioned and interpersonal harm. In Canada, Indigenous peoples are overrepresented in federal and provincial prisons, and, in 2021, it was estimated that Indigenous women made up nearly 50% of all federal prisoners.<sup>xx</sup> Canadian courts have already recognized that these racial disparities are due to ongoing legacies of colonialism, the racist residential school system, systemic racial discrimination, and the overpolicing of Indigenous and Afro-Indigenous communities.<sup>xxi</sup> It is also worth noting that the material benefit provisions enforced in many jurisdictions in Canada, carry a mandatory minimum sentence, despite the fact that Black and racialized individuals are more likely to be imprisoned for offences punishable by mandatory sentencing, and, courts have found such penalties to be unconstitutional.<sup>xxii</sup>

Vancouver operates within a unique policy context as municipal police employ “end-demand” strategies that purport to shift enforcement towards clients and away from sex workers. Yet, sex workers continue to describe their interactions with police as arbitrary, harassing and discriminatory. Racist enforcement of criminal laws has meant that Black, Indigenous, migrant, and queer communities are disproportionately impacted, resulting in the discriminatory and arbitrary detention, stopping and carding of sex workers by police – a discriminatory practice which has consistently been shown to adversely affect and target Black, Indigenous and racialized communities.<sup>xxiii</sup> Research from a 2021 Trans Pulse survey of non-binary and trans sex workers in Canada shows that 95% of Indigenous sex workers and 84% of racialized sex workers expect police harassment, and more than half have endured unreasonable searches, stops, and arrests.<sup>xxiv</sup> This is consistent with research from Pivot that street-based sex workers endure significant surveillance by police who stop, detain, harass, and check their names in police databases, even when there is no legitimate reason for the detention.<sup>xxv</sup>

The structural risks of violence are heightened for Indigenous communities enduring systemic discrimination, stigma, and hetero-patriarchal systems of policing, prisons, control and containment, including being under-protected, while overpoliced.<sup>xxvi</sup> In Vancouver, Canada, Indigenous sex workers are more likely to engage in street-based sex work, and bear the brunt of street-based policing strategies.<sup>xxvii</sup> As was documented in the Commission of Inquiry into the murder and disappearance of 70 Indigenous women from Vancouver to Victoria, Canada, Commissioner Wally Oppal concluded that prostitution law enforcement strategies put sex workers at increased risk of violence, including serial predation.<sup>xxviii</sup> It found that there was a clear correlation between law enforcement strategies of displacement and containment of the sex trade and increased violence against sex workers – such that displacing sex work to isolated areas made Indigenous women more likely to endure targeted violence.<sup>xxix</sup>

Criminal laws function as a pretext for gender and racial profiling by police that sweeps Indigenous, Black, racialized, migrant communities, drug users, and those relying on public space, into the purview of criminal and immigration law that leads to more harm, arrests, detention and deportation.<sup>xxx</sup> Street-based workers describe the “riskiest time for attracting police attention” as “the moment when women entered the vehicle of a prospective client.”<sup>xxxi</sup> In such circumstances, police use non-sex work related offences (e.g., traffic or municipal offences) to stop and ticket sex workers’ and their clients. Research shows that the police enforcement of sex work-related offences displace sex work into industrial, hidden and isolated areas where their ability to screen clients is impeded, and force sex workers to forego or rush negotiating safer terms of transactions such as condom use, thereby increasing risk of HIV and STI prevalence.<sup>xxxii</sup> Further, vague and overbroad offences such as loitering, sheltering outdoors, and, other public space provisions are used to police and criminalize poverty, homelessness, and other structural harms experienced by sex workers.<sup>xxxiii</sup> Additionally, criminal prohibitions relating to communicating for the purpose of offering sexual services in a public place can conceivably be used to charge sex workers, as Canadian law has defined public place to include “any motor vehicle located in a public place or in any place open to public view”.<sup>xxxiv</sup> These findings suggest that policing-based enforcement prevent sex workers from employing critical safety strategies, and, perpetuate gender violence.

Consequently, our core recommendations for interrupting policing and other gender violence is to repeal immigration, and criminal laws prohibiting or otherwise, criminalizing sex work, and other “quality of life” offences that adversely impact sex workers, as well as, to divest from police as a response to harm and reallocate resources towards non-carceral, adequate housing and community-led support services that respond to, prevent and mitigate the structural harms shouldered by Indigenous, Black, racialized, trans, and migrant communities.

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<sup>i</sup> PCEPA was added to Canada’s *Criminal Code* in Bill C-36, An Act to Amend the Criminal Code in Response to the Supreme Court of Canada decision in *Attorney General of Canada v. Bedford* and to Make Consequential Amendments to Other Acts, (assented to November 6, 2014), available online: <<https://www.parl.ca/DocumentViewer/en/41-2/bill/C-36/royal-assent/page-45#7>>

<sup>ii</sup> Canadian AIDS/HIV Legal Network. “The Perils of ‘Protection’: Sex Workers’ Experiences of Law Enforcement in Ontario”, (2019), at 4, available online: <<https://www.hivlegalnetwork.ca/site/the-perils-of-protection/?lang=en>>.

<sup>iii</sup> Krüsi, A., Pacey, K., Bird, L. et al., “Criminalisation of clients: reproducing vulnerabilities for violence and poor health among street-based sex workers in Canada—a qualitative study” (2014) *BMJ Open* 4:6, at 5, available online: <<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4054637/>>.

<sup>iv</sup> *Canada (Attorney General) v. Bedford*, 2013 SCC 72 at 30. The burden of that risk stemmed from impeding sex workers ability to employ safety strategies and work from fixed indoor locations, which was determined by the SCC to be a safer sex work option.

<sup>v</sup> *Ibid* at para 30.

<sup>vi</sup> Krüsi, A., Pacey, K., Bird, L. et al., “Criminalisation of clients: reproducing vulnerabilities for violence and poor health among street-based sex workers in Canada—a qualitative study” (2014) *BMJ Open* 4:6, at 2, available online: <<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4054637/>>.

<sup>vii</sup> *Ibid*.

<sup>viii</sup> Belak, B., & Bennett, D., *Evaluating Canada's Sex Work Laws: The Case for Repeal* (2016), Pivot Legal Society, at 6, available online: <<https://dtesresearchaccess.ubc.ca/object/ext.5489>>.

<sup>ix</sup> *Ibid* at 14.

<sup>x</sup> Standing Committee on Justice and Human Rights, *Preventing Harm in the Canadian Sex Industry: A Review of the Protection of Communities and Exploited Persons Act: Report of the Standing Committee on Justice and Human Rights*, 1st Sess, 44th Parl, June 2022, at 38 & 49, available online: <<https://www.ourcommons.ca/DocumentViewer/en/44-1/JUST/report-4/>>. See Immigration and Refugee Protection Regulations, *SOR/ 2002-227*, ss. 183(1)(b.1), 196.1, 200(3)(g.1), and 203(2)(a).

<sup>xi</sup> Amnesty International, *Policy on State Obligations to Respect, Protect and Fulfill the Human Rights of Sex Workers* (2016), available online: <<https://www.amnesty.org/en/documents/pol30/4062/2016/en/>>. Joint United Nations Programme on HIV/AIDS, *UNAIDS Guidance Note on HIV and Sex Work*, (Geneva: UNAIDS, 2012), available online: <[https://www.unaids.org/sites/default/files/media\\_asset/JC2306\\_UNAIDS-guidance-note-HIV-sex-work\\_en\\_0.pdf](https://www.unaids.org/sites/default/files/media_asset/JC2306_UNAIDS-guidance-note-HIV-sex-work_en_0.pdf)>.

<sup>xii</sup> Joint United Nations Programme on HIV/AIDS, *UNAIDS Guidance Note on HIV and Sex Work*, (Geneva: UNAIDS, 2012), at 13, available online: <[https://www.unaids.org/sites/default/files/media\\_asset/JC2306\\_UNAIDS-guidance-note-HIV-sex-work\\_en\\_0.pdf](https://www.unaids.org/sites/default/files/media_asset/JC2306_UNAIDS-guidance-note-HIV-sex-work_en_0.pdf)>. See also World Health Organization, *Prevention and Treatment of HIV and Other Sexually Transmitted Infections for Sex Workers in Low- and Middle-Income Countries* (2012), available online: <[http://www.who.int/hiv/pub/guidelines/sex\\_worker/en/index.html](http://www.who.int/hiv/pub/guidelines/sex_worker/en/index.html)>.

<sup>xiii</sup> Belak, B., & Bennett, D., *Evaluating Canada's Sex Work Laws: The Case for Repeal* (2016), Pivot Legal Society, available online: <<https://dtesresearchaccess.ubc.ca/object/ext.5489>>.

<sup>xiv</sup> McBride, B., Shannon, K., Bingham, B., Braschel, M., Strathdee, S., & Goldenberg, S. M., "Underreporting of violence to police among women sex workers in Canada: amplified inequities for im/migrant and in-call workers prior to and following end-demand legislation" (2020), *Health and Human Rights*, 22(2), at 267, available online: <<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7762889/z>>.

<sup>xv</sup> Crago, A.L., Bruckert, C., Braschel, M. & Shannon, K., "Sex workers access to police protection in safety emergencies and means of escape from situation of violence and confinement under and "end demand" criminalization model: A five city study in Canada" (2021) *Social Sciences* 10(1), 13, available online: <<https://www.mdpi.com/2076-0760/10/1/13>>.

<sup>xvi</sup> UN General Assembly, Human Rights Council Working Group on Discrimination Against Women and Girls, *Eliminating Discrimination Against Sex Workers and Securing their Human Rights* (December 7, 2023), at 1 & 11, available online: <<https://www.ohchr.org/en/special-procedures/wg-women-and-girls/eliminating-discrimination-against-sex-workers-and-securing-their-human-rights>>.

<sup>xvii</sup> Ritchie, A. J., *Invisible No More: Police Violence Against Black Women and Women of Colour*, (Boston: Beacon Press, 2017); UN General Assembly, *General Recommendation No. 33 on Women's Access to Justice, Convention on the Elimination of All Forms of Discrimination Against Women*, (August 3, 2015), at para 10, available online: <[https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CEDAW%2FC%2FGC%2F33&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CEDAW%2FC%2FGC%2F33&Lang=en)>.

<sup>xviii</sup> McBride, B., Shannon, K., Bingham, B., Braschel, M., Strathdee, S., & Goldenberg, S. M., "Underreporting of violence to police among women sex workers in Canada: amplified inequities for im/migrant and in-call workers prior to and following end-demand legislation" (2020) *Health and Human Rights* 22(2), at 258, <<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7762889/>>. See also Benoit, C., Jansson, M., Smith, M., Flagg, J., "Well it should be changed for one, Because its Our Bodies: Sex workers' views on Canada's punitive approach towards sex work" (2017), *Soc Sci* 6(2): 52 at 7, available online: <<https://www.mdpi.com/2076-0760/6/2/52>>. This 2017 study examines the experiences of sex workers found that 63% of sex workers report having "not very much" or "no confidence at all in police". This is compounded by the fact that there are few institutional supports for survivors of police violence to navigate civilian complaint mechanisms that are inaccessible financially, and culturally skewed pro-police bias from investigators, that are often retired officers themselves.

<sup>xix</sup> UN General Assembly, *United Nations Declaration on the Rights of Indigenous Peoples*, (13 September 2007), 61st, Suppl No 49, available online: <[https://www.un.org/development/desa/indigenouspeoples/wp-content/uploads/sites/19/2018/11/UNDRIP\\_E\\_web.pdf](https://www.un.org/development/desa/indigenouspeoples/wp-content/uploads/sites/19/2018/11/UNDRIP_E_web.pdf)>. *Declaration on the Rights of Indigenous Peoples Act*, *SBC 2019, c 44*.

<sup>xx</sup> Office of the Correctional Investigator, *Indigenous People in Federal Custody Surpasses 30%: Correctional Investigator Issues Statement and Challenge*, (January 21 2020), available online: <<https://www.canada.ca/en/public-safety-canada/news/2020/01/indigenous-people-in-federal-custody-surpasses-30-correctional-investigator-issues-statement-and-challenge.html>>. Office of the Correctional Investigator, *Ten Years Since Spirit Matters: A Roadmap for the Reform of Indigenous Corrections in Canada* (2023), at 5, available online: <<https://oci-bec.gc.ca/en/content/ten-years-spirit-matters-roadmap-reform-indigenous-corrections-canada>>.

<sup>xxi</sup> See for example *R v. Ipelee*, *2012 SCC 13*.

<sup>xxii</sup> *R v. Nur*, *2015 SCC 15*.

<sup>xxiii</sup> *R v. Le*, *2019 SCC 34*. See Pivot Legal Society, *Memo on Street Checks Moratorium* (2019), available online: <<https://www.pivotlegal.org/street-check-moratorium>>. See also, Ontario Human Rights Commission, *Under Suspicion: Research and Consultation Report on Racial Profiling in Ontario*, (2017), available online: <[https://www.ohrc.on.ca/sites/default/files/Under%20suspicion\\_research%20and%20consultation%20report%20on%20racial%20profiling%20in%20Ontario\\_2017.pdf](https://www.ohrc.on.ca/sites/default/files/Under%20suspicion_research%20and%20consultation%20report%20on%20racial%20profiling%20in%20Ontario_2017.pdf)>. In this report, the OHRC documented that Indigenous, Black and racialized people were subjected to profiling, being followed, surveilled or monitored by police or private security, street checks or carding without adequate reasons; unreasonable searches, including strip searches without consent; police investigations resulting in unlawful DNA sweeps, excessive use of force, retaliation, escalation in police reinforcement, and other harsh or heavy-handed treatment. It further found that racialized women reported being profiled as sex workers and mistreated on that basis.

<sup>xxiv</sup> Standing Committee on Justice and Human Rights, *Preventing Harm in the Canadian Sex Industry: A Review of the Protection of Communities and Exploited Persons Act: Report of the Standing Committee on Justice and Human Rights*, 1st Sess, 44th Parl, June 2022, at 46, available online: <<https://www.ourcommons.ca/DocumentViewer/en/44-1/JUST/report-4/>>.

<sup>xxv</sup> Belak, B., and Bennett, D., *Evaluating Canada's Sex Work Laws: The Case for Repeal* (2016), Pivot Legal Society, at 41, available online: <<https://dtesresearchaccess.ubc.ca/object/ext.5489>>.

<sup>xxvi</sup> MacDougall, A. M., Wallia, H., Wise, M., *Colour of Violence: Race, Gender & Anti-Violence Services* (2022), Battered Women's Support Services, at 52, available online: <<https://www.bwss.org/colour-of-violence/report/>>.

<sup>xxvii</sup> McBride, B., Shannon, K., Bingham, B., Braschel, M., Strathdee, S., & Goldenberg, S. M., "Underreporting of violence to police among women sex workers in Canada: amplified inequities for im/migrant and in-call workers prior to and following end-demand legislation" (2020) *Health and Human Rights*, 22(2), at 267, available online: <<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7762889/>>.

<sup>xxviii</sup> Oppal, W.T., *Forsaken: The report of the missing women commission of inquiry executive summary* (2012), at 66, available online: <<http://www.missingwomeninquiry.ca/wp-content/uploads/2010/10/Forsaken-ES-web-RGB.pdf>>.

<sup>xxix</sup> *Ibid*, at 25.

<sup>xxx</sup> Canadian AIDS/HIV Legal Network. "The Perils of 'Protection': Sex Workers' Experiences of Law Enforcement in Ontario", (2019), available online: <<https://www.hivlegalnetwork.ca/site/the-perils-of-protection/?lang=en>>. This 2019 study documents the experiences of sex workers with law enforcement in Ontario, Canada, and describes how Asian women were consistently racially profiled for the purposes of ticketing and entrapping migrant workers pursuant to punitive immigration laws, while accusing Black and Indigenous women of being traffickers, relying on stereotypes about the inherent propensity of Black and Indigenous people towards criminality. See also, Fudge, J., Lam, E., Ka Hon Chu, S., & Wong, V., *Caught in the Carceral Web: Anti-Trafficking Laws and Policies and Their Impact on Migrant Sex Workers* (2021), Butterfly: Asian and Migrant Sex Workers Support Network, available online: <[https://www.butterflysw.org/files/ugd/5bd754\\_71be1154f6ff4bbb94a03ed7931a32df.pdf](https://www.butterflysw.org/files/ugd/5bd754_71be1154f6ff4bbb94a03ed7931a32df.pdf)>.

<sup>xxxi</sup> Krüsi, A., Pacey, K., Bird, L. et al., "Criminalisation of clients: reproducing vulnerabilities for violence and poor health among street-based sex workers in Canada—a qualitative study." (2014) *BMJ Open* 4:6, at 5, available online: <<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4054637/>>.

<sup>xxxii</sup> *Ibid*.

<sup>xxxiii</sup> *Ibid*, at 8.

<sup>xxxiv</sup> *Criminal Code*, [RSC 1985 c C-46, s 213\(2\)](#).