

Prostitution and Human Rights

Questions for Community Dialogue

1. Ms. Kate Quinn discusses the role of poverty. What do you think is the role of poverty in regards to prostitution in Canada?
2. Discuss societal stigmas (attitudes) relating to prostitution in Canada.
3. What is your attitude toward prostitution? How do you feel about related issues such as child abuse and human trafficking?
4. Read the additional article attached to this discussion sheet. What are your thoughts and feelings toward the legalization or decriminalization of prostitution? Is prostitution a matter of personal choice? Why or why not?
5. Ms. Quinn discusses male involvement in sexual exploitation and states that 100% have experienced prior sexual abuse to some degree. Do you think differently about the involvement of males versus females in prostitution? If so, how? Do you believe there should be different laws concerning prostitution?
6. Do you think the Canadian government's policy on prostitution should focus on prevention? Diversion? Abuse? Drug treatment? Poverty? Johns? What protection or safeguards should be in place to protect prostitutes?
7. Ms. Quinn states that what Edmonton "is short on [are] good prevention programs at earlier ages so that we are helping children and young people grow up to be healthy young adults and not be pulled into the drug trade or pulled into any circle of exploitation." Do you agree? What do you think are the potential outcomes of the kind of prevention programs described by Ms. Quinn?
8. Do you think a healthy community requires the absence of prostitution? Why or why not?

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The Case for Decriminalizing Prostitution



by Amy Lebovitch *Sex worker; sex worker rights activist, Sex Professionals of Canada.*

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The sex workers challenging Canada's sex laws say it's about safety – and freedom.

By now, you have probably heard that there is a case in the courts challenging Canada's current prostitution laws. Valerie Scott, Terri-Jean Bedford, and I are the three plaintiffs, and there are many other current and former sex workers and academics who have given their voices and expertise to this case.

Although the exchange of sex for money is legal in Canada, there are provisions within the Criminal Code that make it impossible to work in this business legally and safely.

First, we are challenging Section 210 of the Criminal Code, which is also known as the bawdyhouse law. This law prevents us from working in the safety of our own home, or in a familiar location, either by ourselves or as a collective. A bawdyhouse is any place used for prostitution. This law thus applies to a sex worker seeing a few clients from her home, which is how much of sex work is conducted in this country, and to a place that two or three sex workers use as their work place. Under this law, such actions are considered an enterprise crime. Upon being charged, the government seizes all of your assets. The police can, and do, show up with moving vans and take everything the sex worker owns, including freezing any bank accounts. Everyone should feel safe in their homes and their places of work, but the bawdyhouse law puts our safety and lives in jeopardy. Because working this way is completely illegal, we are afraid that if we were to call the police to report a bad client we would be investigated and charged. This has happened all too often. Bad clients know this, and use it to their advantage.

Second, we are challenging Section 212(j), which forbids anyone from living “wholly or in part on the avails of prostitution,” including someone who “lives with or is habitually in the company of a prostitute.” This is the only section of the Procuring Law that we are challenging. Far from protecting us, it criminalizes all of our everyday and healthy relationships. It is illegal for us to have a roommate or any other kind of relationship, including a spouse. If we are working at a location away from our homes, this even prevents us from having vital support staff such as receptionists and drivers, and from implementing other security measures.

The third law that we are challenging is Section 213(1)(c), also known as the Communicating Law, which prevents my colleagues who work on the street from interacting with potential clients. The

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“communicating for the purpose of prostitution” law came into effect on Dec. 20, 1985. It forbids anyone who is in a public place, or in a place open to public view, from “stop[ping] or attempt[ing] to stop any person or in any manner communicat[ing] or attempt[ing] to communicate with any person.”

This law creates an environment in which my street-based colleagues are working out of the public eye, in industrial areas. They are unable to assess and negotiate with a client out in the open for fear of being seen by the police and charged. Those who seek to hurt us know this, and seek out my colleagues on the street, committing horrific crimes.

Legalization vs. decriminalization

We are not seeking legalization, which is a government-controlled model of sex work that treats prostitution as a vice. Rather, we seek full decriminalization.

Legalization exists in a few places such as Amsterdam, Germany, the state of Victoria in Australia, and some counties in the American state of Nevada. Legalization does nothing to assist in creating a safer working environment for us. It is a government-controlled model, a vice model, in which the government says, “We will allow sex work, but only under these stringent regulations. You are only allowed to work in designated brothels in designated areas.”