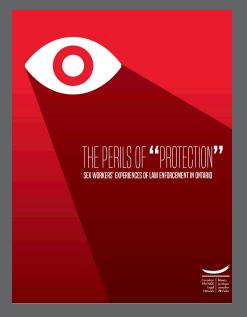
## The Perils of "Protection": Sex workers' experiences of law enforcement in Ontario

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### **Background & Project**

- 2014: Protection of Communities and Exploited Persons Act (PCEPA) passed, legally enshrining all sex workers as victims and widening net of criminal prohibitions against sex work.
- The law immunizes some sex workers from prosecution, but sex workers continue to be criminalized and to experience human rights abuses perpetuated by law enforcement while they work.
- 2018: interviewed 22 sex workers in Ontario about their experiences of law enforcement in the context of work since PCEPA became law. Workplaces included strip clubs, massage parlours, street, hotels, spas/body rub parlours, and personal residences; half worked independently and remainder with other sex workers and/ or third parties. 6 key informants also interviewed.



# Key Findings: Aggressive surveillance & law enforcement abuses

Sex workers described **pervasive**, **unsought and disproportionate surveillance from law enforcement**, who employ criminal, immigration, human trafficking, municipal & other laws to monitor, interrogate, investigate, harass, detain, ticket, arrest, charge, deport sex workers.

Surveillance → law enforcement abuses, e.g. intimidation, threats, harassment, unwarranted searches of workplaces and belongings, destruction or theft of property, disproportionate or arbitrary application of law, assault, retaliation, extortion.

**Racialized, migrant and trans women bore heaviest burden of profiling**, but routinely positioned outside reach of assistance in times of actual need. Indigenous, Black and Asian sex workers described being singled out by police for scrutiny and abuse.



Sex workers experienced law enforcement as a source of repression, not protection. To evade and mitigate harms, sex workers changed their ways of working, e.g. by working in unfamiliar & secluded areas, in social isolation, with unknown risks.

### Key Findings: Wide-ranging negative impacts

#### Wide-ranging negative impacts on sex workers:

- diminished ability to earn income;
- harms to physical safety, perpetuated by law enforcement or predators who exploit sex workers' isolation;
- harms to mental health;
- being "outed" and the stigma and discrimination that ensues;
- workplace eviction;
- repercussions on family life, including on child custody;
- limitations to sex workers' geographic mobility;
- fewer opportunities for other / future employment;
- immigration detention and deportation for migrant workers;
- impediments to practicing safer sex.



Going to authorities not a viable option for many sex workers and majority stressed that they would not report law enforcement abuse to police, especially if abuse occurred in context of their sex work.

### Conclusions

Law enforcement not only barrier to sex workers' safety, but often an immediate and systemic danger: criminal, immigration, human trafficking, municipal, child protection, drug-related laws & policies confer extraordinary powers on law enforcement to monitor, antagonize, detain, charge, and deport sex workers.

In order for police to provide meaningful assistance, **it must be** requested by sex workers and they must be treated as deserving of respect.

Sex workers reject victim framework promoted by law enforcement, but some feel pressure to conform to this stereotype to minimize potential harms of law enforcement & be deemed worthy of assistance.



Not just a case of a few "bad apples": law enforcement need to be removed as the primary regulators of sex workers' lives.