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**SUBMISSION TO THE HOUSE OF  
COMMONS COMMITTEE ON JUSTICE AND  
HUMAN RIGHTS: REVIEW OF THE  
PROTECTION OF COMMUNITIES AND  
EXPLOITED PERSONS ACT**

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## **NO PRIDE IN POLICING COALITION SUBMISSION TO THE HOUSE OF COMMONS COMMITTEE ON JUSTICE AND HUMAN RIGHTS: REVIEW OF THE PROTECTION OF COMMUNITIES AND EXPLOITED PERSONS ACT**

The No Pride in Policing Coalition is an anti-racist, multi-racial queer and trans group calling for defunding and abolishing the police. We were formed in 2018 to assist in keeping the Toronto Police out of the Pride Toronto Parade and Festival and developed an abolition of police perspective in 2020. We organized a rally of 3,000 people for defunding and abolishing all police on Pride Day in 2020 and a march of 600 people up Yonge Street to the Toronto Police HQ on Pride Day in June 2021 against anti-Black and anti-Indigenous racism and for abolishing police and prisons.

We organize in solidarity with sex workers including with Butterfly: Asian and Migrant Sex Worker Support Network and Maggie's Toronto Sex Workers Action Project. This includes organizing against Bill 251 in Ontario, and the expansion of policing it is part of, with Butterfly and Maggie's in 2021, which is leading to the targeting of migrant sex workers and Black, Indigenous and racialized young people. It also includes issuing a joint statement with them on the Missing and Missed report in 2021 which ignored how Maggie's and other sex workers actively searched for missing trans sex workers while the Toronto police did nothing. Our approach is grounded in the historical and social connections between sex workers and queer and trans people who because of criminalization -- often through the same laws (like the bawdy house laws, vagrancy and others) -- often sought safety in the same social spaces and because many sex workers are queer and trans people. There was also major collaboration between queer people and sex workers in safer practices education and harm reduction work in response to the AIDS crisis. The two main authors of this report have worked with sex workers over the years, Gary since the mid-1980s with the organizing against the criminalization of "communicating for the purposes of prostitution" offence and Jamie in community-based harm reduction work with sex workers in the Downtown East of Toronto.

While the people who are currently members of NPPC were pleased when we heard about the Supreme Court Bedford decision striking down the main laws criminalizing prostitution in 2013,

we were also angered that the Conservative government replaced these laws with equally unconstitutional laws (that are now being challenged) criminalizing sex workers and their clients and designating all sex workers (no matter what their experiences and social locations) as always and everywhere being ‘exploited’ and ‘victims’ with no social agency. In 2014 the Canadian government introduced legislation that criminalized the purchase of sexual services.

Criminalizing the purchase of sex is often referred to as the “Swedish” or “Nordic” model and is presented as a new legal framework to eradicate sex work by “ending demand”. This new Canadian legislation was modeled after Sweden’s, which in 1999 made the purchase of sexual services a crime. These “end demand” models are often described as “decriminalizing sex workers and criminalizing clients.” Due to very limited understandings of what “end demand” models actually mean, proponents of these models are often unaware of the actual ways in which they still criminalize sex workers and continue to put the lives of sex workers at risk. This has produced major problems in the lives of sex workers, and especially for Black, Indigenous, racialized and migrant sex workers.

NPPC calls for the complete repeal of PCEPA and for the full decriminalization of sex work.

Contrary to what proponents of the new law claim, in Canada, sex workers are still criminalized and can be arrested for ‘communicating for the purpose of selling sexual services’ if they do so in ‘public’ or in a place within ‘public view’ that is next to a playground, a school ground or a daycare. Sex workers continue to be portrayed as a threat to young people even though many sex workers have their own children who they are supporting. Sex workers are still criminalized by the police and the ‘criminal justice’ system and still face all the same risks that were identified by the Supreme Court in the Bedford case.

Street based sex workers in Canada (many of whom are Black, Indigenous and racialized) report increased violence when clients are targeted. When clients are displaced or deterred, street-based sex workers are more likely to take risks with new or unknown clients and provide services they would not otherwise be prepared to offer. For example, sex workers may work in darker and less populated areas where they are more vulnerable to violence; experience a reduced client-base leading to longer work hours; and work more often to generate the same income, which has the impact of decreasing their safety and increasing potential for tensions

with fellow community members. Police surveillance patrols aimed at locating clients displace sex workers into areas where they are more vulnerable to violence: clients' fear of detection by police mean that sex workers are unable to take sufficient time to screen potential clients before getting into cars; and sex workers are displaced to more isolated locations to find clients. As a result, informal support networks among sex workers are weakened, and it is more difficult for sex workers to warn each other about abusive or violent aggressors posing as clients, as well as to consult resources like a "bad date list". It also makes it harder for social service providers to maintain contact with sex workers.

Under this model, sex workers continue to experience significant difficulties when they report violence and coercion to police. Identifying oneself as a sex worker to a police officer can result in greater scrutiny, harassment and an increased risk of deportation. Clients are reluctant to report violence, coercion, or exploitation that they may witness against sex workers for fear of their own arrest. Those sex workers who continue to work on the street are harassed and abused by police (e.g., videotaped, strip searched and searched for condoms). Moreover, because sex workers are implicated in a criminal act they are required to appear in court to provide evidence against their clients, which exposes them publicly. Increased discrimination from health service providers has been reported. The subsequent fear of discrimination prevents sex workers from talking about their sex work experiences when testing for HIV and other sexually transmitted infections and when accessing health services for their overall health.

Sex workers frequently face difficulties accessing and maintaining housing as a result of the criminalization of those who rent premises used for sex work, exacerbating discrimination against sex workers. Sex workers' increased mobility and displacement to hidden venues also impede their access to and ability to maintain housing. Sex workers are unable to access social security benefits that are available to all other workers in legal labour activities.

NPPC also agrees with all the points that have been raised by the Canadian Alliance for Sex Work Law Reform on the problems PCEPA produces in the lives of sex workers regarding advertising; communication; the targeting of migrant sex workers; and the targeting of 'third parties.'

In conclusion, NPPC calls for the complete repeal of PCEPA and for the full decriminalization of sex work. All the evidence and the experiences of sex workers under PCEPA supports this position. Sex workers know what policing and criminalization do to their lives. Please make sure that the voices and experiences of sex workers are heard and understood in your deliberations.

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### ***References***

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