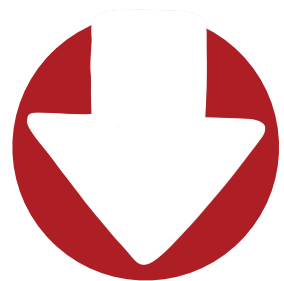


End police harassment & surveillance to advance sex workers' health and labour rights

During and beyond the COVID-19 pandemic

Sex workers globally have faced disproportionate health and social inequities primarily caused by high levels of criminalization, policing, stigma and limited investment in community-based sex work support services.



The negative impacts of criminalization and policing disproportionately impact racialized sex workers, particularly Indigenous, Black, and im/migrant sex workers. The COVID-19 pandemic has increased these inequities. It is critical and urgent to address racialized policing and criminalization of sex work now more than ever.



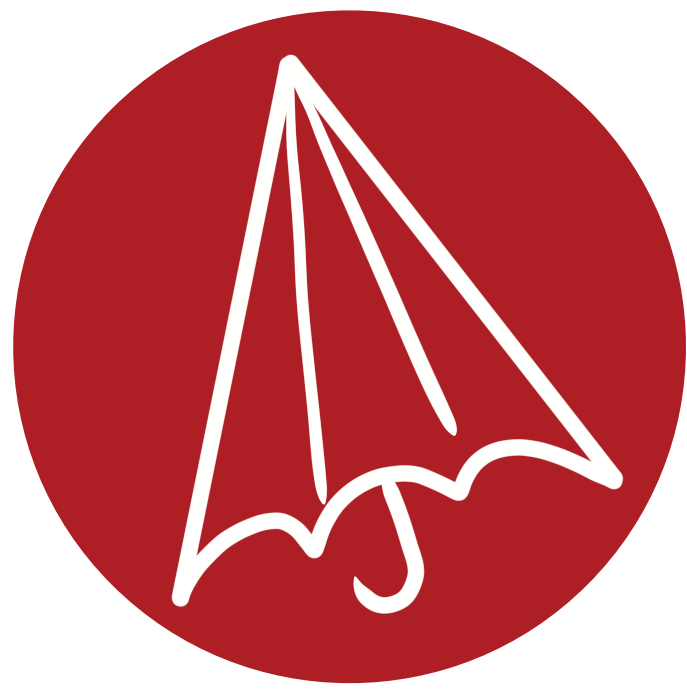
Under current Canadian laws (the Protection of Exploited Communities and Persons Act, PCEPA), most types of sex work are criminalized including selling sex in a public space, the purchasing and advertising of sex work and various third party roles. Indigenous, racialized im/migrant, trans women and sex workers who use drugs are disproportionately targeted through police surveillance.



During the COVID-19 pandemic and beyond, sex workers must have equal access to occupational health and safety measures. Fear of police harassment and criminalization undermine sex workers' health and labour rights by posing severe barriers to occupational health and safety. To advance sex workers' health and labour rights, the following evidence-based changes to policy and practice are needed:

- End the enforcement of sex work-related offences under PCEPA
- Cease police surveillance and harassment of sex workers across a range of outdoor, in-call, and online venues
- Work towards Criminal Code reform to fully decriminalize all aspects of sex work.

The AESHA Project (An Evaluation of Sex Workers' Health Access) is a long-standing, community-based research project of the Centre for Gender and Sexual Health Equity (CGSHE) in Vancouver, BC. The AESHA project was initiated in 2010 and includes over 900 sex workers across diverse work environments, with Indigenous, racialized and im/migrant sex workers overrepresented among participants. The findings on the impacts of criminalisation and policing of sex workers are informed by over ten years of data collected in partnership with Vancouver's sex work community.



5 reasons to stop police surveillance and criminalization of sex work

Based on calls from community-based organizations and partners to end police “wellness checks” and enforcement of sex work laws*, below are five evidence-based reasons why it is necessary to end police surveillance and harassment of sex workers and support the full decriminalization of sex work.

1. “Police checks” and other forms of police surveillance and harassment make it harder for Indigenous, Black, trans, and low-income sex workers to access safety.

Police surveillance, harassment, and fear of arrest create more health and safety barriers for Indigenous, Black, trans, and low-income sex workers due to structural racism and the ongoing effects of colonial policies. Because of police surveillance, sex workers are less able to screen clients, including checking “bad date” reports, detecting possible weapons or intoxication, and negotiating terms of transaction². To avoid police, sex workers often work in secluded areas that offer few protections from violence and abuse². Sex workers are able to screen clients and work in locations with greater access to occupational health and safety when there are no policing and enforcement of prohibitive sex work laws.

2. Police surveillance reproduces historical violence against racialized sex workers and reduces access to justice.

Sex workers report barriers to violence reporting because of ongoing criminalization and stigma^{2,3,7}. Sex workers doubt that police will take their complaints seriously based on historic discrimination, harassment and abuse by police. These inequities are worse for racialized Indigenous and im/migrant sex workers^{3,7}.

Indigenous sex workers often experience police interactions – including “wellness checks” – as a form of colonial and racist violence. Sex workers’ lived experiences of negative or ineffective responses from the police fuel the harmful and inaccurate myth that violence is an inherent part of sex work^{2,3}, discourage future reporting and access to justice and prevent the implementation of occupational health and safety guidelines.

3. Police surveillance and harassment makes it harder to access health, harm reduction, and other services for sex workers.

Sex workers are less able to access services because of police surveillance and other forms of police harassment including “wellness checks”. Sex workers fear negative consequences of interacting with police, and health, harm reduction, and other services where police may be present or called⁵. In a recent study, 68% of AESHA participants who use drugs reported police-related barriers to harm reduction, which was linked to a 2x increase in non-fatal overdose⁴. Sex workers’ access to health, harm reduction, and support services will only be fully realized through decriminalizing sex work and ending police surveillance.



5 reasons to stop police surveillance and criminalization of sex work

4. “In-call workplace surveillance and harassment by police limits occupational health for im/migrant sex workers.

Im/migrant sex workers are over-represented in in-call venues (e.g. massage/beauty parlor, micro-brothel)⁵. These venues face racialized police harassment and surveillance, city bylaw inspections, fines and shut-downs⁶. More than half of im/migrant sex workers worry about negative consequences of these interactions including:

- Loss of immigration status
- Deportation
- Arrest and fines
- Stigma
- Loss of clients and income⁶.

Condoms are often used by police as evidence of criminal activity, and third parties who support in-call sex workers (e.g., managers) are criminalized. This can prevent workers and third parties from carrying or offering onsite occupational health equipment such as condoms⁸. Ending police surveillance of in-call venues and full sex work decriminalization is needed to allow sex workers to access the occupational health resources and third party supports they need.

5. Redirecting funds from policing towards greater support of sex worker-led community-based supports will improve sex workers’ occupational health and safety.

Rather than policing sex workers, communities need scaling-up of:

- Gender-sensitive
- Trauma-informed
- Culturally safe sex worker-led community-based supports, including drop-in centres, outreach and health services.

Scaling up and better supporting these community-led initiatives is an evidence-based approach to improving sex workers’ occupational health and safety, and should be prioritized over policing and criminalization⁹.

* July 2020, Hogan’s Alley Society, Black Lives Matter Vancouver, Union of BC Indian Chiefs, WISH Drop-In Centre Society, BC Civil Liberties Association, and 68 other community organizations called for a ban on racist street checks performed by Vancouver police¹. This campaign coincided with efforts put forth by sex work advocacy groups such as Canadian Alliance for Sex work Law Reform and Amnesty Canada to cease enforcement of sex work offences to better support sex workers during COVID-19.

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