

# “End-demand” laws prevent sex workers’ access to police assistance in safety emergencies

*In 2014, the Canadian government introduced new laws criminalizing the sex industry under a so-called “end demand” framework. This legislation places emphasis on criminalizing clients and third parties but retains provisions criminalizing sex workers (SW) outdoors in narrow circumstances. The laws were justified as necessary for the “protection of exploited persons”, in particular Indigenous women, and to “encourage those in prostitution to report violence (Bill C-36 2014). Although a number of other countries have also introduced “end demand” criminalization frameworks, there is very little evidence about sex workers’ access to police protection in safety emergencies or means of escaping violence or confinement in countries or localities operating under an “end demand” criminalization framework.*

## FINDINGS

- 31% of sex workers reported being unable to call 911 if they or another SW were in a safety emergency due to fear of police detection (of themselves, their colleagues or their management).
- Indigenous sex workers were more than twice as likely to report being unable to call 911 in a safety emergency. Being younger or working in Ottawa were also associated with lesser reported ability to call 911 in a safety emergency.
- Sex workers who experienced police harassment in the past 12 months (being carded or asked for ID documents, followed by police or detained without arrest) were more than 5 times more likely to report being unable to call 911 in a safety emergency.
- Of sex workers who had experienced violence or confinement at work in the past 12 months, only 16.5% reported the incident to police. Of these, less than a third had a positive experience.
- Amongst the sex workers who escaped a situation of violence or confinement at work or in their personal life with assistance in the past 12 months, the most commonly reported source of help was other sex workers (40.5%), in particular, other sex workers with whom they shared expenses (35.1%). This was followed by “friends/family/lovers/partners” (29.7%), clients (24.3%), security/spotters (13.5%), a person in drug venue (10.8%) and a boss/manager (10.8%). Only two sex workers (5.4%) reported being assisted by police to escape violence or confinement in the past 12 months.



**This research highlights the urgent need to recognize the harms of the “end demand” criminalization framework on sex workers and the immediate need for law reform and policing reform.**





## URGENT POLICY RECOMMENDATIONS

- **Transformational systemic change of the criminal justice system using a decolonizing approach** by centering Indigenous sex workers' experiences, expertise, and perspectives on what law, policy, and policing changes are necessary.
- **Law reform to decriminalize sex work** by centering sex workers' experiences, expertise, and perspective on a labour and human rights-based approach.
- **End the targeting of sex workers by police** (e.g. police following, carding/asking for ID documents, and detaining sex workers without arrest) either as a by-product of enforcing "end demand" legislation against sex work spaces and/or clients, racial or social profiling or, "protective" or repressive policing strategies.
- **Implement "Good Samaritan" laws and policies for sex work**, (until a rights-based legal framework for sex work is in place), that shield individuals involved in the sex industry (e.g. other sex workers, clients, third parties) and individuals involved in the drug trade (e.g. users, dealers) from raids or arrest on sex work or drug-related charges as a result of calling police to assist a sex worker in a safety emergency.
- **End police policy and practice of carding** (i.e. police stopping, asking for ID, or questioning individuals without specific grounds) **and street stops linked to racial and social profiling.**

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## About the Research

This research was led by the Centre for Gender & Sexual Health Equity (CGSHE) at the University of British Columbia (UBC) and the University of Ottawa, in partnership with sex worker community-based organisations and transversal advisory groups of Indigenous, Black, transgender and migrant sex workers. This research drew on data from 200 sex workers in five cities in Canada from 2017 to 2018: Montreal, Québec, Toronto, Ontario, Ottawa, Ontario, Sudbury, Ontario, and Surrey, British Columbia. It holds REB approvals at UBC and the University of Ottawa. This research is funded by the Canadian Institutes of Health Research (CIHR) and the Social Sciences and Humanities Research Council (SSHRC). Dr. Anna-Louise Crago holds a Banting Postdoctoral Fellowship. Dr. Kate Shannon holds a Canada Research Chair in Gender Equity, Sexual Health and Global Policy.

## About the Centre for Gender & Sexual Health Equity:

CGSHE is a UBC and SFU affiliated academic centre hosted at Providence Health. CGSHE aims to advance gender equity and sexual health equity for all in BC, Canada and globally through research, policy and practice. CGSHE is deeply committed to community-based and community-driven research and building equity, diversity and inclusion in affecting change and informing gender and equity-centred clinical practice and policy guidelines. At CGSHE we acknowledge the land on which we work is the unceded traditional territory of the Coast Salish Peoples, including the territories of the x<sup>w</sup>məθkwəy̓əm (Musqueam), Skwxwú7mesh (Squamish), and Səlílwətat (Tsleil-Waututh) Nations.

## About the Department of Criminology at the University of Ottawa:

The Department of Criminology at the University of Ottawa is a vibrant bilingual environment focusing on critical criminology and foregrounding social engagement. The University of Ottawa's strategic areas of research include "human rights, diversity, and social justice" and "governance, international studies and public policy."