



Understanding 'End-Demand' Prostitution Laws and the Canadian Context

What are 'end-demand' laws?

So-called 'end-demand' laws were first introduced in Sweden in 1999. The purpose of these laws is to end the demand for paid sexual services in an effort to abolish sex work entirely. The philosophy behind the laws views sex workers as victims of largely male violence and asserts that sex workers should not be criminalized for selling sexual services. However, purchasing sexual services and a variety of other activities that facilitate sex work, such as brothel-keeping, procuring, and receiving a material benefit from the sex work of another person, are all criminalized.

Sweden also devoted resources to assisting sex workers to leave the sex trade in the form of psychological counselling as sex workers are seen to be engaging in a form of self-harm by engaging in sex work. They do not offer financial or housing support for those transitioning out of sex work.

The end-demand laws in Sweden have not reduced the size of the sex industry, nor can they determine whether demand has lessened.

What are the laws in Canada?

Canada has adopted end-demand style laws. In Canada, it is illegal:

- To purchase sex.
- To communicate in person, by phone, text, or email, for the purposes of purchasing sex.
- For sex workers to work too near a school, playground or daycare centre.
- For clients to communicate too near a school, park or church.
- To advertise the sexual services of another person. Sex workers can place their own ads but they must not explicitly advertise sexual services.
- To habitually keep the company of or benefit in any way from a sex worker, unless:
 - You are in a legitimate family or business relationship as long as:
 - You can prove that you are not forcing or encouraging the sex worker to sell sex;
 - You are not involved together in a commercial sex enterprise and;
 - You are not providing alcohol or drugs to induce someone to sell sex.



What are the impacts of Canada's end-demand prostitution laws?

- Sex workers are routinely surveilled and harassed by law enforcement who target clients of sex workers for communicating and purchasing sex.
- Sex workers are forced to work in more clandestine and isolated areas in order to evade law enforcement.
- Clients try to rush street-based sex workers to get in a car with them before the sex worker feels comfortable or safe doing so, in order to evade law enforcement.
- It is more difficult to find safer indoor places to work as these businesses are criminalized.
- It is difficult for sex workers to work together for safety as these activities are criminalized.
- It is more difficult to set clear boundaries with clients on the phone or through advertising as these activities are criminalized.
- Sex workers can face eviction if their landlord finds out they do sex work due to the material benefit law and the stigma created by criminalization.

Resources:

- Global Network of Sex Work Projects. 2015. "The Real Impact of the Swedish Model on Sex Workers."
- Levy, J. 2014. "Criminalising the Purchase of Sex – Lessons from Sweden."
- Socialstyrelsen (Swedish National Board of Health and Welfare), 2008. "Prostitution in Sweden 2007."
- Open Society Foundations, 2015. "10 Reasons to Decriminalize Sex Work."

Living in Community is a unique initiative that brings together diverse stakeholders to collaboratively improve the health and safety of sex workers. We undertake public education, policy advocacy, and sharing of our unique model of collaboration with the goal of creating communities that are healthy and safe for everyone.

Sex workers should be listened to as policy experts regarding sex work law and regulation.

Sex workers around the world have long been fighting the implementation of end-demand laws in countries such as Norway, Iceland, Ireland, and Canada. Because end-demand laws view sex workers as victims, sex workers are often silenced in debates using false assumptions including that sex workers are experiencing false consciousness, that they are lying or putting on a brave face, and that they are unrepresentative of the majority of sex workers, in addition to using arguments that caricaturise or demonize sex workers. This is extremely frustrating for sex workers who have been well organized and working for their rights for at least forty years.

A human rights approach to sex work means decriminalizing sex work.

If sex work was decriminalized, occupational health and safety and municipal bylaws could then be applied to safely regulate how sex work is conducted. In Canada, we already have laws and regulations to address offences including workplace health and safety, human trafficking, and violence and other crimes against sex workers.

Instead of end-demand laws, decriminalization — coupled with efforts toward ending poverty and homelessness, reducing domestic violence, promoting anti-racism, and implementing evidence-based drug policy — would do more to reduce the number of people who turn to sex work as a last resort to make ends meet and who face higher levels of violence and exploitation.

Learn more at: www.livingincommunity.ca