

Living in Community and BC Sex Work Support Service Network Brief to the Neha Review Panel:

The Right to Safe, Adequate and Affordable Housing for Women, Two Spirit, Trans, and Gender-Diverse People, and the Government's Duty to Uphold this Right

April 2025

Background

Living in Community (LIC) is a provincial non-profit and charity based in Vancouver. Centering sex workers' rights, Living in Community convenes diverse stakeholders in order to: understand a range of experiences and perspectives; inform sex work-related policies and practices of governments, service providers, and community organizations; and provide education and training to support these goals. We focus on root causes of issues including colonization, capitalism, criminalization, racism, and discrimination that create systemic vulnerability for sex workers, and we seek to build understanding and common ground with other community members.

LIC also facilitates the BC Sex Work Support Service Network, a group of organizations that provide frontline services, supports, and advocacy with and for sex workers in their communities. Network members are located across all regions of British Columbia and includes one organization in the Yukon. The Network meets regularly to share best practices, learn from each other, and strengthen our unified voice for sex workers' rights across BC. Living in Community is co-submitting this brief with members of the BC Sex Work Support Service Network, signed below.

Women, Two-Spirit, Trans, and Gender Diverse Sex Workers

In thinking about the right to safe, adequate and affordable housing for cisgender women, Two Spirit, transgender, and gender-diverse people, the federal government must understand and prioritize the needs of sex workers in these communities.

The vast majority of sex workers are cisgender women and/or 2SLGBTQI+. According to a 2023 study with 239 sex workers in British Columbia, 69% identified as cisgender women, 40% identified as sexual minorities (defined in the report as bisexual, pansexual, queer, gay, lesbian, questioning, asexual, demisexual, and Two-Spirit), and 23% identified as gender minorities (defined in the report as non-binary and transgender).¹

¹ Machat et al, 2023. "By Us, For Us: A Needs and Risk Assessment of Sex Workers in the Lower Mainland and Southern Vancouver Island." https://wish-vancouver.net/content/wp-content/uploads/2023/04/by_us_for_us_-_a_needs_and_risks_assessment_of_sex_workers_in_the_lower_mainland_and_southern_vancouver_island_-_web.pdf

Due to the compounded impacts of systemic oppression and sex work stigma, 2SLGBTQ+ sex workers face increased risk of violence and fewer support services that meet their needs. Many sex workers have reported pressure to hide their gender or ‘go stealth,’ presenting their gender or sexuality in a certain way, in order to access services that are commonly split into cisgender binaries of ‘male or man’ or ‘female or woman’. Criminalization, sex worker stigma, gender-based violence including transphobia and homophobia, ableism, colonialism, HIV+ stigma, isolation, racism (including anti-Indigenous and anti-Black racism), and xenophobia are all issues that 2SLGBTQI+ sex workers face.

Further, sex workers are among the most historically excluded within the broader 2SLGBTQI+ community, due to stigma, lateral violence, and the scarcity of safe and inclusive funding and programming. At the same time, 2SLGBTQI+ sex workers – who, as noted above, comprise a large proportion of the sex worker community – have incredible experience navigating complex government systems, responding to stigma and judgement, and sustaining peer-based solutions that meet their needs, which will benefit lawmakers and policy-makers in improving programming and policies – because they work.

Needs and Barriers in Housing for Sex Workers

Due to the above layered stigmas and barriers, sex workers often experience significant difficulty in securing long-term safe, accessible, and affordable housing that meets their needs.

Our overview of the housing barriers that multiply oppressed sex workers experience, as well as the solutions they recommend, is rooted in over 20 years of advocating for, educating around, and convening spaces for sex workers to collaborate on community best practices. Most recently, many of the recommendations we include below come from a session about housing and shelter at our 2023 conference where over 160 attendees came together to identify needed solutions for sex workers’ health, safety, and rights.²

When it comes to shelter spaces and housing offered through frontline and/or government organizations – such as emergency shelters, short-term housing, transitional housing, and non-market housing – the barriers that sex workers face include:

- Organizational policies prohibiting working from home, i.e. sex work onsite
- Restrictive curfews or guest policies
- Application processes that are overly restrictive and inaccessible, making them difficult for folks to complete
- Difficulties in communicating with the organization, i.e. if the sex worker does not have a permanent phone number
- Organizations requiring government ID and other high-barrier requirements for entry
- Discriminatory eligibility requirements, such as prohibitions on substance use or mental health diagnoses

² Living in Community, 2023. “Moving From Response to Resilience: Collaborating for a Better BC for Sex Workers.” <https://livingincommunity.ca/wp-content/uploads/2024/07/LIC-2023-Conference-Report-WEB.pdf>

- Organizations not being able to ensure safety for sex workers of diverse genders and sexualities
- Simply not having enough safe and accessible shelter or emergency housing spaces available

Similarly, when it comes to private housing arrangements – such as market rental housing and home ownership – sex workers face the following barriers:

- Tenancy policies that prohibit working from home, i.e. sex work onsite
- Concern about being outed to one’s landlord, strata, or real estate agent, which could jeopardize one’s current or prospective housing
- Concern about one’s neighbours calling law enforcement, child protective services, or otherwise enacting stigmatizing behaviours that put the sex worker and their family in danger

Sex workers also experience unstable housing, in any housing situation, due to the risk of being evicted for doing sex work. They may also be exploited by landlords or neighbours to maintain housing.

Underscoring the Barriers: Criminalization

The main barriers underscoring these challenges is the criminalization of sex work, and the accompanying stigma about the sex industry.

Under the *Protection of Communities and Exploited Persons Act* (PCEPA), enacted in 2014, sex workers have experienced many negative outcomes. Criminalizing communication has made it much more difficult for sex workers in both indoor and outdoor settings to engage in critical screening and negotiating practices with potential clients.³ Restrictions on where sex work can take place on the street has pushed sex workers into obscured and hidden areas of their cities or towns to avoid surveillance, arrest or police violence. In Vancouver, this type of displacement of sex workers resulted in the disappearance and murder of 67 women in the late 1990s and early 2000s. Additionally, material benefit laws have reduced the number of safer, indoor locations for sex workers to work and have impeded their ability to work together for safety. These laws have also made it more difficult for sex workers to work with those who support the safety of their work such as receptionists, bodyguards, drivers, managers, peers, and partners.⁴ Restrictions on advertising limit sex workers ability to clearly advertise their services, connect with potential clients, and set boundaries.⁵

Moreover, since 2012, the federal *Immigration and Refugee Protection Regulations* (IRPR) has prohibited temporary residents from working “with an employer who, on a regular basis, offers

³ Krüsi, Andrea, et al, 2014. "Criminalisation of clients: reproducing vulnerabilities for violence and poor health among street-based sex workers in Canada—a qualitative study." *BMJ open* 4, no. 6 (2014): e005191.

⁴ Centre for Gender and Sexual Health Equity, 2019. “Harms of End-Demand Criminalization: Impact of PCEPA Laws on Sex Workers’ Safety Health and Human Rights”.

⁵ Benoit, Cecilia, et al, 2017. “Well, It Should Be Changed for One, Because It’s Our Bodies”: Sex Workers’ Views on Canada’s Punitive Approach towards Sex Work." *Social Sciences* 6, no. 2 (2017): 52.

striptease, erotic dance, escort services or erotic massages.”⁶ Anyone who has a work permit, study permit or visitor’s visa and carries temporary resident immigration status is captured by these provisions, meaning the dangers for migrant or temporary workers go beyond being evicted from one’s home, and extend to being detained or deported.

Sex workers of all genders and sexualities deserve safe and secure housing – especially considering the violence often faced by sex workers working outdoors. 2SLGBTQI+ sex workers and cisgender women deserve the same human rights and occupational safety measures as cisgender men, workers in non-criminalized industries, and/ or workers who choose to run businesses indoors or from home.

Recommendations

To meet the needs of cisgender women, Two-Spirit, transgender, and gender diverse sex workers, we recommend the following:

1. Ensure that housing providers offer low-barrier and accessible housing, including by:
 - Removing restrictive curfews
 - Removing restrictive policies on having guests
 - Removing restrictive prohibitions on substance use or mental health diagnoses
 - Implementing clear policies on eliminating sexual assault in housing and shelters
 - Simplifying application processes, such as by not requiring ID, making forms simpler and more accessible, and ensuring multiple options for application (such as in writing, via meeting with a peer or support worker, etc)
 - Ensure clarity and transparency on the organization’s policies on working with law enforcement, on who their services and programs are for (i.e. specifying genders and sexualities), on wait list lengths, and more
 - Ensure most staff have lived and living experience and are supported as peers by the organization.
2. Ensure housing providers are funded and financed to ensure their facilities include: wheelchair accessible suites with full kitchens and individual bathrooms with closing doors, working front door locks and adequate parking in the area, and peer respite spaces.
3. Amend tenancy regulations and housing provider policies to ensure that folks cannot be evicted for working from home, i.e. doing sex work onsite.
4. Amend tenancy regulations and housing provider policies to recognize supportive housing tenants as tenants, rather than as program participants.

⁶ Government of Canada, Immigrant and Refugee Protection Regulations. <https://laws-lois.justice.gc.ca/eng/regulations/sor-2002-227/section-196.1.html>

5. Create and fund more housing specifically for cisgender men, Two-Spirit, transgender, and gender diverse sex workers.
6. Pilot collaborations with health authorities and healthcare providers to offer health care services and navigation onsite.
7. Decriminalize sex work, and remove the IRPR prohibitions.
8. Fully decriminalize substance use.

Co-signed by the following organizations:



ASK Wellness (Kamloops/ Merritt/ Penticton, BC)

We provide a range of outreach support services designed to assist members of our community who are facing homelessness, mental health, substance misuse, or a combination of these factors. ASK Wellness Society provides a range of health services, ranging from Health Navigation, Blood Borne Infection Management & Harm reduction, to our Adult Addiction & Supportive Housing, Mental Health & Independent Supportive Housing, Disability Supports, and Recovery Programs. ASK Wellness Society believes in the Housing First principle, that all individuals have the right to safe and affordable housing.



Ending Violence Association of BC (Province-wide)

We train and support 290 frontline provincially funded anti-violence programs that support survivors of sexual assault, intimate partner violence, child abuse, and criminal and sexual harassment. We collaborate across sectors with a community and systems approach that brings together anti-violence workers, police, corrections and child protection to increase survivor safety and perpetrator accountability.



Ishtar Women's Resource Society (Langley/ Aldergrove BC)

We support survivors of relationship violence with advocacy, outreach supports, transitional housing, and counselling.



Kamloops Sexual Assault Counselling Centre (Kamloops, BC)

We provide free, confidential, trauma-informed supports to survivors of all ages and genders of sexualized violence. Survivors can access counselling, victim services, hospital accompaniment, and crisis response. KSACC also offers a 24/7 crisis line for survivors and their supports.



Peers Victoria Resources Society (Victoria, BC)

We are an innovative, multi-service grassroots agency established by, with, and for sex workers since 1995. Through direct services and community partnerships, we provide an array of peer-focused outreach, harm reduction, housing support, education, violence prevention, and advocacy for current and former sex workers, people who use substances, Indigenous-street family, and their connected communities on Coast Salish territories known as Greater Victoria.



Salal Sexual Violence Support Centre (Metro Vancouver, BC)

We are a feminist, anti-oppressive, decolonizing sexual violence support centre operating on unceded Coast Salish Territories. We provide support services to survivors of sexualized violence who have shared experiences of gender marginalization: cis and trans women, Two-Spirit, trans and/or non-binary people. We advocate for social and systemic change through education, outreach and activism.



SWAN Vancouver (Vancouver, BC)

We promote the rights, health, and safety of im/migrant women engaged in indoor sex work through frontline service and systemic advocacy.





Tamitik Status of Women (Kitimat, BC)

We promote safety, equity, and wellness for all members of our community by providing inclusive, low-barrier supports across the areas of housing, crisis response, food access, childcare, and community wellness.



Victoria Sexual Assault Centre (Victoria, BC)

We are a feminist organization committed to ending sexualized violence through healing, education, and prevention. We are dedicated to supporting women and all trans survivors of sexual assault and childhood sexual abuse, through advocacy, counselling, and empowerment.



Yukon Status of Women Council (Whitehorse, YT)

We are a non-governmental organization that works to advance gender equity through research, education and systemic advocacy. Our participatory research on the issues and concerns of Yukoners is translated into action for change, bringing gender equity issues to the forefront.