

POSITION STATEMENT ON DECRIMINALIZATION OF SEX WORK

The Sexual Assault Centre London supports the decriminalization of sex work. Sex work includes any exchange of money, a place to stay, drugs, alcohol, smokes or a favour for phone sex, oral sex, intercourse or stripping. Decriminalization is the removal of the section(s) of the Criminal Code that make sex work illegal. This means sex workers, and their clients, would not be subject to arrest because of activities related to sex work. Basically, decriminalization would mean that anyone doing any type of sex work would be considered in the same way as any other self-employed worker. This would protect the rights of sex workers to live free from violence, stigmatization and marginalization.

While both men and women participate in sex work, women (trans and cisgender) are more often the target of violence. For this reason, we address the concerns of women in sex work. When sex work is criminalized, women become even more marginalized, stigmatized and at a heightened risk of experiencing violence. They are often reluctant to seek services that will help with their emotional, mental and physical health and safety. If charged, women are at risk of losing their housing, children and income.

The legal status of sex work is a complex and controversial issue. We have not come to our position without awareness that the current context of sexism, trans-hatred, racism, colonialism, ableism, adultism and classism complicates the consideration of sex work and decriminalization. We believe our commitment to ending oppression compels us to support decriminalization. SACL understands the context of patriarchy that has led to the commodification of women's bodies, and to the policing of women's sexuality-stipulating how "good girls" and "bad girls" behave. Sex workers are a group of people more often spoken about than spoken with; they have not been consulted in forming the rules. Policy decisions regarding sex work have been imposed on sex workers rather than in collaboration with them. There is no question that the motivations for sex work are complex and varied, and that some women enter the sex trade because of poverty and because other livelihood alternatives are extremely limited. But to reduce sex work to something involving no choice or agency on the part of these women is as demeaning and as much a human rights violation as the violence and stigma that sex workers regularly face (Csete and Seshu, 2004). SACL believes that it is imperative to hear the voices of sex workers themselves in order to ensure their agency in the decisions that involve their livelihood.

SACL believes that sex work involving children under the age of 18 constitutes child sexual exploitation, and we support the current laws that address this harm.

SACL believes that sex workers have the right to make decisions and take steps to do their work safely. It is acknowledged that women have the right to engage in work of their choosing, including sex work [from "Sex, Work, Rights-Reforming Canadian Criminal Laws on Prostitution" by the Canadian HIV/AIDS Legal Network, #7 Sex work and women's rights]. SACL believes that criminal law reform is a positive step towards a shift from the status quo, where sex workers are subject to violence,

stigmatization and marginalization, to a society where sex workers are empowered to create safe and dignified working conditions.

ACTION

1. SACL will commit to supporting new laws regarding sex work that align with our position.
2. SACL will consult with sex workers directly to determine what would be most meaningful in the provision of SACL services.
3. SACL will continue to provide public education and workshop forums to demystify sex work to reduce the stigma, isolation and discrimination of sex workers.
4. SACL will establish a positive safe space for sex workers to access nonjudgmental and supportive services.
5. SACL will engage in partnerships with other community agencies to address the unique challenges of sex workers experiencing intersecting marginalizations.

[#3, 4, 5 are based on the “Call for Action” section of the Power document “Challenges: Ottawa area sex workers speak out” by Chris Bruckert and Frederique Chabot, p. 114]

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