

Why the ‘End Demand’ Approach to Sex Work Doesn’t Work

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A criminal record is no way to help children and youth leave prostitution.

For the last seven years, I’ve been working as an escort in Ottawa and, most recently, in Toronto. I’ve seen approximately 100 unique clients (this does not include repeat clients) per year and not one of them has ever been anything less than respectful.

“End demand” campaigns, like the one suggested in a recent *RH Reality Check* commentary, are based on the false characterization of clients of sex workers as rapists, and perpetuated by the prostitution-as-violence camp. This is nothing but misogyny, pure and simple.

To suggest that women cannot differentiate between their work and when they have been assaulted is grossly offensive.

Yasmin Vafa’s piece, “Racial Injustice: The Case for Prosecuting Buyers as Sex Traffickers,” celebrates “demand reduction” as a trafficking prevention strategy, particularly in the case of minors. The issues of child prostitution and child trafficking are highly charged, sensitive subjects and I have no intention of diminishing the abuses that do occur. However, Vafa’s piece, while well-intentioned, is misguided in a number of ways.

In these discussions, rarely are the actors identified clearly; rather we get the generalized subjects “children” and “buyers,” leaving the reader to imagine the worst-case scenario, such as the survivor account Vafa references in her piece. These two groups are not homogenous.

First, let us examine the category of the “child.” According to the UN Convention on the Rights of the Child, a child is anyone under the age of 18. To further complicate things, the UN defines a “youth” as anyone between 15 and 24 years old. Even the most ardent defender of children would concede that those persons aged 15, 16, and 17 are more accurately categorized as youth and that their participation in sexual relations is different than those of younger children.

And who are the buyers really?

Research shows that a portion of buyers are actually youth purchasing sex from other youth. As Julia O'Connell Davidson has stated, "who really believes that a sexual relationship between a 19-year-old and a 17-year-old should be categorized as a sexual relationship between an 'adult' and a 'child'?"

The sordid picture of older men luring young children into prostitution is also largely exaggerated. Heather Montgomery's research with child prostitutes in Thailand revealed that often children pimp for each other. She observes that while myths about child prostitution make it "inconceivable that children should pimp for each other and take a cut of the earnings of another child who has become a prostitute ... this is exactly what does happen as part of the children's survival strategies."

Further, children who have friends and acquaintances working in prostitution may see that prostitution offers a means of subsistence, making it a viable survival option. Therefore, the Justice for Victims of Trafficking Act has the potential to criminalize the very children we are supposed to be defending. In Canada, this reality came to pass when two 15-year-old girls were charged with human trafficking.

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Further, putting vulnerable children and youth in the hands of the police is a dangerous business. Police in Ottawa regularly extort sex workers for favors on threat of arrest, physically and sexually assault women, and harass street-based workers, the majority of whom are Aboriginal women. The Cato Institute's 2010 Annual Report on Police Misconduct in the United States noted:

Of the officers associated with reports of serious sexual misconduct, 51% (180) were involved with reports that involved minors and 49% (174) involved adults.

However, of the 479 alleged victims of serious sexual misconduct which were tracked, 52% (249) were minors and 48% (230) were adults. This would appear to indicate that minors are victims of alleged serial offenders slightly more often than adults.

Placing the focus on the buyers obscures the ways in which the state is culpable in perpetuating violence against women and children, whether or not they are sex workers. It is naïve to think that a state which consistently violates the rights of sex workers will produce a desirable outcome by introducing stronger legal penalties.

A second critique I have of her piece is her support of a bill that proposes to prosecute buyers as sex traffickers, a conflation of prostitution and trafficking, which are two separate categories. Even when referring to child prostitution, a distinction must be made between trafficking and consensual prostitution. The Global Commission on HIV and the Law writes that the conflation of trafficking and sexual exploitation "has ultimately served to undermine efforts to address both trafficking and sexual commerce, while inadvertently contributing to the harm that people working in sexual commerce face from local law enforcement and from potentially violent clients and intermediaries."

In January, police services across Canada initiated “Project Northern Spotlight” aimed at finding victims of human trafficking. Officers posed as clients and in Ottawa visited 29 women, all of whom were legally adults and none of whom were trafficked. Quinn, one of the workers who was visited, described the visit by four police officers as threatening and intimidating, particularly given the fact that she was a woman, alone, in lingerie, and expecting a client. If the police were so concerned with finding trafficking victims, why did they largely target independent adult escorts?

In Sweden, where the laws targeting clients of sex workers have been in place since 1999, sex work has been pushed further underground. Sex workers have little time to screen their clients because clients fear arrest. Sex workers are subpoenaed and ordered to testify against their clients in court. Many clients simply start seeing workers indoors, leaving only those clients who are otherwise undesirable for street-based workers (e.g., they have a criminal record already), as well as increasing competition among women for a reduced client base. If they choose to operate indoors, which is safer than working on the street, they can be evicted because landlords are charged with profiting off a sex worker’s earnings—their rent—if they do not evict the tenant.

Sex working mothers run the risk of losing custody of their children. The case of Petite Jasmine, a Swedish sex worker, is exemplary on this point. Her children were taken from her because of her work in the sex industry and given to her abusive husband, who later stabbed her to death during a visit with her children.

In Canada, the conservative government recently tabled a bill entitled the “Protection of Communities and Exploited Persons Act,” which also criminalizes the clients of sex workers, among a host of other provisions. But a recent study published in the *British Medical Journal* shows that criminalizing our clients reproduces the harms experienced under criminalization, which corroborates the evidence coming out of Sweden.

We cannot know the full extent to which children are sold as “sex slaves.” Figures are exaggerated or outright fabricated, and because it is a clandestine activity, it is very difficult to quantify. However, if we rely on statistics from the FBI database regarding the number of children arrested for prostitution offenses (not the number of children trafficked) between 1981 and 2012, we see that minors selling sex make up only 1.83 percent of prostitution arrests over a 31-year period. If buyers are fueling the demand for underage sex workers, one would think there would be higher numbers of children selling sex. In Canada, where the act of selling sex has never been illegal, there were zero recorded instances of trafficking of minors between 2008 and 2012, according to Statistics Canada. Meanwhile, the incidents of adult trafficking were just under 50 and include all forms of trafficking, not just those being trafficked into the sex industry.

Finally, making child prostitution and child trafficking an issue of demand detracts from systemic issues that cause children to sell sex in the first place. We ignore the political, economic, and social inequalities that underpin this phenomenon. Without measures to address the conditions under which children make the decision to sell sex, criminalizing clients is nothing but a band-aid solution.

If more than half of the male population has used the services of a sex worker at some point, there is no way we can arrest all the men who have ever bought or ever would buy sex. Furthermore, criminalizing clients means that when clients do come across potentially coerced workers, they will not report it due to fear of arrest.

The continued conflation of trafficking and consensual prostitution leads to more violence and abuse of sex workers. If we are really and truly concerned with the welfare of children and youth working in the sex industry, we need to start thinking about affordable housing, access to services, and alternate employment opportunities. “End demand” has not worked. Let’s stop moralizing and fight for tangible resources to assist those working in the sex industry.