

**Opening the Doors**  
*Building transparency and accountability  
in the sex industry.*  
**2010**

*BC Coalition of Experiential Communities*

**About the British Columbia Coalition of Experiential Communities**

The British Columbia Coalition of Experiential Communities (BCCEC) is a consortium of sex worker activists who work to eliminate the oppressive systems and forces that create harm for individuals within the sex industry. We operate under the principle that members commit to creating an environment of inclusion and change.

We support diverse perspectives and experiences except where they contribute to harm of sex workers. The BCCEW does not support enforcement or rehabilitation models that either promote the continued criminalization of sex workers or sex worker dependency on social programs.

### **The Mission of BCCEC**

The BCCEC is a mechanism for the voices of experiential individuals to:

- influence legislation and policies that pertain to sex workers to become inclusive of their goals and desires;
- advocate for a continuum of peer driven programs, initiatives and services.

The BCCEC may also serve as a:

- consultative body of expertise on sex work issues;
- host organization for sex worker workshops, events and initiatives; and
- research and data collection body.

### **BCCEC Philosophy and Guiding Principles**

The BCCEC:

- Supports and promotes experiential leadership;
- Supports development of essential services and a continuum of services for active sex workers through class advocacy, media response and public awareness;
- Creates a supportive network for sex worker activists to have opportunities for leadership and action on issues that impact their lives and the well being of their communities; and
- Works to ensure the fundamental recognition of human rights for sex workers including dignity, safety, equality, and empowerment;

The following Guiding Principles reflect the collective and longstanding activism of BCCEC members who have worked and will continue to work to eradicate racism, poverty, sexism, and violence by every practical means possible. BCCEC principles are built on our experiential analysis of sex work issues and are intended to advance dialogue and activism within the coalition and within our communities:

*We value, embrace and mobilize the authentic experiential knowledge, leadership and skill sets of women in the sex trade as the vehicle towards change;*

*We work to ensure opportunities for self-advocacy among people in and from the sex trade;*

*We work to open dialogue for the reduction of harm and the elimination of the social, economic, and political conditions that lead to the survival sex trade, sexual slavery and trafficking in persons;*

The BC Coalition of Experiential Communities has developed extensive management capacity over the past four years as a result of undertaking and managing a wide range of large and complex research, writing and organizational development projects successfully. Projects ranged in funding from \$ 5000 to \$75,000.00 These include:

- BCCEW - Developing Capacity for Change: Co-operative Development Exploration Report - Feb. 2007
- The BCCEW Newsletter entitled Got Game (2nd edition);
- The BCCEW Working Conditions research entitled In the Here and Now;
- The BCCEW Media Review document;
- The BCCEW Research document entitled From the Curb, Sex Worker's Perspectives on Violence and Domestic Trafficking;
- The BCCEW report on Policy Issues for Sex Workers in Prince George BC

- Research Ethics: A Guide for Community Organizations
- Tips for Individuals Participating in Community Based Research
- Bad Date Reporting and Response: Experiences and Insights from Sex Workers and Community Stakeholders
- Labor on the Margins- Exploring union development, industry association models and how labor standards and occupational health and safety training could impact the health and safety of sex industry workers.
- Leading the Way- strategic planning for sex worker co-operative development and sex industry stabilization
- The History of sex work Project- museum exhibit, multi media installation and book
- Trade Secrets- Occupational Health and safety Training for the Sex Industry

The BCCEC is administered through WISH Drop-in Centre Society.

### **Acknowledgements**

The BCCEC, although unfunded for this project, would like to thank everyone who contributed to these proposed processes and who's on going support has made it possible for these plans to emerge.

Most Notably WISH Drop-in Centre Society, PACE Society, Living on Community Steering Committee members, Vancouver Police Diversity Division, VPD Sex Industry Liaison Officer, City of Vancouver staff, Simon Fraser University, University of British Columbia, the sex workers from the indoor, street and migrant worker populations, sex industry business owners and sex consumers who all took the time to contribute to the future stability and safety of Vancouver's Sex Industry.

### **Executive Summary**

In the spring of 2009, the City of Vancouver Mayor and Council directed all city departments to identify where they interact with the sex industry, review current policies and practices and develop plans to address safety issues arising related to survival or street level sex work.

The BC Coalition of Experiential Communities (BCCEC) has been working on these issues steadily for 7 years and has done extensive research and consultations with sex industry community members as to ways in which we could;

- increase the safety of Vancouver sex industry workers
- stem the tide of workers forced to work in the dangerous street level sex industry
- ensure workers have the tools to make safe decisions about their work and access to resources
- expose unethical businesses engaging in human trafficking or the exploitation of youth and
- address safety issues in communities affected by the street level sex industry.

The following is a summary of plans for sex industry stabilization proposed by the sex industry community and how those plans emerged.

### **Project Background and Rationale**

During the **.Developing Capacity for Change Project.**-coop development work shops, Vancouver sex workers expressed how a trade association and a branding or certification process could support safer work conditions over all and stabilize the existing safer indoor venues that exist now. The development of occupational health and safety training was also seen as a way to give people entering and in the sex industry the tools to make safe decisions about their work. It was agreed that all stake holders including business owners and consumers should be engaged to contribute to the design of the future of our industry.

The **Labour on the Margins Project**, union development work shops facilitated by the BC Federation of Labour followed and indeed there is support amongst the sex industry community for finding ways to stabilize our safety through development of an industry association.

BCCEC members agreed that the creation of occupational health and safety training for the sex industry was the first step towards achieving the goals outlined in the **Labour on the Margins Project**.

With support from Vancouver Coastal Health, Northern Health and the Vancouver Foundation and over a period of 2 ½ years, the BCCEC facilitated a collaborative process engaging many sex industry constituencies in occupational health and safety community development activities.

The **“Trade Secrets- Occupational Health and Safety in the Sex Industry”** project is now partially complete in draft form and can be seen on line at [www.tradesecretsguide.blogspot.com](http://www.tradesecretsguide.blogspot.com) .

### **The Current Project**

As a result of criminalization, the sex industry is very secretive about its practices and unwilling to open up for fear repercussions from the reactions of the mainstream community. This has lead to much speculation about conditions within the sex industry but no discussion on what to do about it.

Some fears are well founded and indeed some people experience exploitation, violence and/or dangerous conditions while working in the sex industry.

A little known part of sex industry culture is that older or more experienced workers become business owners and share their knowledge with less experienced workers in an unofficial word of mouth traditional training as to health and safety training in the sex industry.

Everyone agrees that no sex industry worker should have to face the first day of work alone or without the tools to make safe decisions about their work.

The systematic targeting and elimination of safe work environments for sex industry workers through blanket enforcement actions has proven to be one of the largest contributing factors to the ever increasing risk to the safety of sex industry community members and the communities were sex work takes place.

During the Living in Community Project ([www.livingincommunity.ca](http://www.livingincommunity.ca)) which engaged all stake holders in designing an action plan to address the immediate issues facing communities and sex workers, residents and business owners impacted by street level sex work expressed their greatest complaints were;

- The residual mess- condoms and other garbage
- The public violence- every one agrees that the level of violence endured by survival sex workers is unacceptable.
- sex in plain view- looking out your window and seeing sex workers and customers together.
- Unwanted attention from sex consumers endured by women who are not sex workers
- And their children being faced with sex workers on the street while out in the community or on the way to school

During the Living in Community Project consultations, it became clear that some enforcement actions are complaints based and that many of these complaints come from residents and business owners in communities affected by sex work. The irony here is the things they are complaining about are being caused by the systems response to their complaints in particular when those complaints are in reference to a legal and legitimate business and aimed at the eradication of that business solely based on it's being a sex industry business.

The closure of sex industry or “sundry” businesses in Vancouver has meant sex industry workers cannot find jobs within the safer indoor industry and are forced into the dangerous street level trade.

So, how do we distinguish an ethical sex industry business owner or worker from those who are exploitative, ensure sex industry workers have safe places to work and see safety is increased in neighbourhoods impacted by the disorderly street level sex industry.

**CUPE**- Canadian Union of Public Employees members suggested that a system of professional accreditation could provide a starting point from which ethical workers and business owners could be identified and a review board could base decisions.

BCCEC members took this under advisement and began to explore other professions that require minimum accreditation to work in that particular field. For instance- police officers must be accredited by the police association in order to work as police officers to ensure they are receiving what mainstream society considers to be appropriate training or on the other end of the spectrum a waitress must be accredited with “*servicing in right*” in order to serve alcohol.

BCCEC members the speculated on a design for a system creating transparency and accountability in the sex industry and including the following components;

In terms of transparency

### **Transparency**

### **Revising / Creating processes for Licensing and Professional Accreditation**

BCCEC members agreed that passages adapted from “**Trade Secrets**” could be expanded upon or refined to become the foundation of the processes for professional accreditation.

BCCEC members propose making accreditation mandatory and tied to sex industry business licensing. A trade mark would identify workers and business owners taking part in the licensee program to police and to sex consumers.

### **Educating Sex Consumers and promoting ethical purchasing habits.**

BCCEC members have published a first edition of educational materials for sex consumers “*for our clients*”.

Additions related to new by-laws, professional accreditation and complaints processes will be necessary to ensure sex consumers have the information they need to support ethics in the sex industry.

## **Licensing/ By Law Revisions**

For these measures to work they must be incorporated into the City of Vancouver by-laws. In 2007, BCCEC members developed a series of recommendations intended to revise the City of Vancouver's by-laws that license and regulate businesses where sex industry workers have traditionally been employed.

The revisions developed in 2007, did not include additions to accommodate the ideas outlined in this report. The final by-law revisions will have to include many of the processes and policies being suggested here.

BCCEC members and PIVOT legal society discussed and over bridging "Adult Entertainment License" to be required by all people working in exotic show lounges as dancers or massage girls, in health enhancement centers, for escort services, as adult film stars or as web camera operators.

*Please note: the licensing of all workers was not supported by the sex industry community and allies and is not included in the final recommendations. Instead a program of one time professional accreditation has been proposed.*

All industries are subject to safety inspections and accountability, so to will be the sex industry. A man working in a factory is protected by labour law and safety regulations and factories are routinely inspected for health and safety by mainstream systems.

The BCCEC believe that the sex industry community can ensure unbiased processes are created for inspections and safety scrutiny by pushing for a sex industry inclusive process.

## **Foreign/ Non Canadian Sex Industry Workers**

Migrant workers from foreign countries working in Vancouver's sex industry and in particular those who do not speak English and whose working conditions are the subject of great speculation are of great concern to the mainstream and sex industry communities.

Language appropriate materials and a "working" or "visitor" visa plan developed in partnership with Immigration Canada could ensure legal status for visiting workers and that those workers receive accurate information about sex industry health, safety and support services in Canada.

## **Under aged/ Youth engaged in sex work**

Youth engaged in or being exploited in the sex industry is also a great concern for mainstream and the sex industry communities.

These processes are intended to increase the health, safety and stability of adult consensual sex industry workers but BCCEC members felt that young people could benefit from the valuable information contained within the accreditation materials. Accreditation would not be possible until they were of legal age to engage in the sex industry but having access to the materials contained in the licensee program manual could increase their health and safety anyway.

## **Accountability**

### **Sex Industry Review Boards**

Throughout it's work, the BCCEC have always been conscious of engaging in research or creating policies that reflect current federal standards for ethical engagement of marginalized populations. There are many sources to gather information on research ethics. A national set of guidelines that all Canadian universities must abide by is the Tri Council Policy Statement <http://www.pre.ethics.gc.ca/english/index.cfm> .

One of the requirements for researchers engaging in research involving human beings is to have the research scrutinized by an ethics review panel or board.

During consultations in regard to the CAEC Terms of Reference, mainstream community members shared concerns about provisions made to protect the confidentiality of sex industry workers stating that policies such as those proposed above do not create a transparent, open and accountable industry but rather would provide safe haven for traffickers behind the CAEC banner.

Sex Industry Workers were also very concerned about potentially being “outed” as a sex worker or exploited by a person who discovered their sex industry worker status.

To address concerns on both sides, BCCEC members once again referred to the Tri Council Policies as a guide. CAEC and sex industry activities be examined by an ethics or oversight committee or review board.

There are currently no processes for sex industry complaints in Vancouver and some unethical businesses continue to operate with impunity. Financial penalties (fines) that put workers into a “debt servitude situation”, 24 hour a day 7 days a week shifts, incorrect information about workers health (insisting on or lying about the dangers of unsafe sexual contact- bbbj- bare back blow job), reckless endangerment of workers sending them into unsafe situations (alone with 50 men in a gated property), “starving” (being given no work) workers who refuse to comply, and emotional and physical abuse. It is hoped that a model of complaints by committee would be able to address these labour issues and that workers would feel comfortable reporting violations to a committee that included sex industry representation to ensure unbiased outcomes.

This process has been tried and proven to work effectively in combating child exploitation and human trafficking in India. For 12 years “Self Regulatory Boards” have heard complaints and made an impact on the safety of sex workers and their working conditions there.

As follows;

Since 1997, the Organization decided to develop strategies to solve the problem of underage girls trafficked into sex work sites and of unwilling women duped/coerced/forced into sex work. Informal rescue of underage girls who came into sex work sites by DMSC began in 1997. Over the next two years, the structure of DMSC Self-regulatory Boards (SRBs) was formalized. The anti-trafficking activities of DMSC can be broadly divided into following phases:

Phase 1 (1997-1998) : Voicing concern about underage trafficking, informal approaches, advocacy and demand creation within the Organization.

Phase 2 (1998-1999) : Piloting of formal Self-regulatory Boards in selected sex work sites in Kolkata and advocacy in forums outside the Organization.

Phase 3 (1999-2000) : Demand generation and increasing reach of SRBs.

Phase 4 (2000-2004) : Self-regulatory Boards established in many sex work sites in West Bengal and, formalizing of their activities and efforts.

### **By Law Enforcement**

By law additions and revision alone will not be enough to ensure compliance and fair treatment of sex industry community members. A system of inspection and penalty tied to the professional accreditation and licensing process will be necessary to ensure to greatest possible outcome and impact of sex industry health and safety.

### **Inspections**

Inspections happen in every industry in Canada. Safe work spaces are the rights of all workers. The community policing partnership team, sex worker support agencies and the usual government bodies who conduct inspections in other areas can all take part in monitoring compliance and ethics in the sex industry.

These inspections are not intended to replace, dictate or impede police activities and criminal investigations but rather to work in partnership with police towards better policies and procedures for enforcement actions, the

elimination of the exploitation of youth or any person in the sex industry, better understanding of sex industry structure and community and to ensure police are aware of resources and programs available sex workers in need of support.

## **SIWSAG**

The Sex Industry Worker Safety Action Group (SIWSAG)<sup>1</sup> was created in 2007 to bring together local police, sex industry workers, representatives from service-provision agencies and other community stakeholders to address the increasingly dangerous and negative conditions relating to the safety and security of sex industry workers in Vancouver.

### **Community Policing Partnership Car**

Developing a community-VPD partnership that brings together both perspectives by hiring one experiential person ( victim services trained sex industry representative) and a police officer to focus on the common goal of safety could begin to bridge issues of mistrust, support the implementation of the plans outlined above and ensure fair treatment and support of sex industry workers during VPD operations.

### **Best Practices for VPD engagement of the sex industry community**

The SIWSAG also propose undertaking an evaluation of existing practices that are used to enforce the criminal laws associated with the sex industry (sections 210-213 and any other related offences). Ultimately, we hope to identify the strategies currently in use by Vancouver's Municipal Police Department (VPD), and those recommended by the participants in this project, to create a best practices document and facilitate increased safety for the sex industry community when interacting with the criminal justice system.

### **Professional Development Package for VPD/ City of Vancouver Staff.**

In order for these ideas to achieve their goals, police officers, licensing staff, city staff, license inspectors, etc. must all be made aware of the changes and best practices emerging, sex industry specific policing goals, the sex industry review board and it's purpose, by-law revisions, etc.

Members of SIWSAG agreed that a professional development package could give officers and city staff the information and tools they need to implement the plans outlined above.

### **Vancouver Police VICE Division**

The VPD VICE Division have traditionally carried the burden of policing the sex industry. It is hoped that through systems outlines above, VICE will be able to better identify, target and prosecute sex industry businesses operating outside of what is considered acceptable within the mainstream community.

VICE will have access to information emerging from the sex industry review committee in terms of unethical behaviour as well as through the community policing partnership team.

It is also hoped that the Vancouver VICE division will be able to easily identify businesses operating outside of the accepted standards through a Trademark or system of branding tied to the Professional accreditation and licensing process, through information emerging from inspections and through taking part in sex industry review board activities.

### **Penalties**

Some suggestions as far as penalties were a probation period for a person or business with a minor infraction and for those engaged in more serious complaints, complete revocation of licensing and accreditation or intensified inspections and scrutiny until the issue of the complaint is resolved.

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In terms of the impact of these penalties, BCCEC members agreed that development of a trade mark as proof of accreditation/ or lack there of combined with educational outreach to sex industry consumers and workers about the meaning of the trade mark could prevent workers from seeking employment with a known exploitative business owner or prevent a consumer from purchasing the services of such a business.

### **Community Consultation**

The BCCEC held a meeting to scrutinize these plans and hear concerns and ideas from the community. 13 people were present representing VPD, sex worker support agencies, City of Vancouver, sex workers, sex consumers, UBC and SFU.

Each of the individual components of the plan were discussed in detail in terms of “pro’s”, “con’s” and the potential of each to create gaps or harm sex industry workers.

The plans as outlined were supported for the most part but with some concerns emerging in terms of further marginalizing street entrenched workers, confidentiality of workers taking part, the capacity of sex workers to achieve accreditation , licensing being too complicated and driving sex industry workers further underground to avoid taking part in these proposed processes.

Sex workers and Sex worker support services representing the street level sex working community asserted that they felt their constituency would be empowered by taking part in accreditation and that many had already achieved their alcohol service and food service accreditation through programs in those organizations so would be able to complete a program of a similar difficulty level.

The group also agreed that licensing and accreditation being mandatory were duplication in actions and favoured the New Zealand approach of not requiring independent workers to be licensed. It was noted that waitresses and bartenders were not required to hold liquor licenses but were required to be accredited. Accreditation of employees in all sex industry businesses was seen as enough to achieve the goal of sex industry worker safety.

### **Recommendations**

Vancouver Sex Industry Stakeholders have agreed on the following recommendations for submission to city staff and informing the report going to City Council;

- That a process of professional accreditation be developed in partnership with all stakeholders and that the processes should respect the expectations for the mainstream community and the privacy/ confidentiality of sex industry workers taking part.
- That the professional accreditation processes be made language accessible for non English speaking workers and as low cost and low barrier as possible so all sex industry workers including street level sex workers could benefit from the knowledge gained through accreditation.
- That professional accreditation be required for all employees in a sex industry business including support staff such as managers, booking girls, drivers, waitresses and bouncers.
- That the City of Vancouver By-laws are revised to reflect the processes outlined in this report and respect the safety and inclusion of sex industry workers in a process involving all stakeholders as far as preferred licenses, rate balancing and the removal of clearly biased and illegal by laws excluding sex industry community members from mainstream society.
- More specifically, that the body rub license become the license of choice over health enhancement center. The term health enhancement center makes any prostitution occurring in the business illegal. The body rub parlour business license on the other hand seems to create a space where 2 consenting adults can legally engage in prostitution as it is more of a “rooms for rent” business. Just as in a hotel, the room rented becomes a private space and just as in a hotel what happens behind closed doors is private.

It is hoped that this business license definition will allow police to maintain their commitment to the criminal code of Canada while allowing stability for sex industry businesses providing safe, health places to work.

- That a Sex Industry Review Board be created to hear complaints and scrutinize license applications
- That mechanisms to ensure accountability and unbiased treatment are created such as the community policing partnership car, policy and procedure manual revisions/additions and professional development materials for mainstream systems engaging the sex industry.
- That a system of penalties tied to licensing and professional accreditation is created
- That, in contrast to the original plan, licensing not be required of individual workers or small collectives of 2 or 3 workers sharing a work space as has been proven successfully in New Zealand to impact the health and safety of those workers. Also, that all sex industry employees not be required to acquire licenses but rather are supported in gaining sex industry safety accreditation as described above.
- That provisions are made to accommodate migrant or foreign workers and that all materials are language accessible for that group
- That while youth engaged in the sex industry may not be accredited until they reach the legal age to engage in the sex industry, that they be given access to the program materials as way to increase their health and safety and to connect them to resources

The greater community have long had to rely on rumours and biased data to form an opinion of working conditions in the sex industry. By creating an open and sex industry inclusive system of transparency and accountability, the greater community will have a clearer picture of the make up of, conditions within and safety of the sex industry.

Through this confidential, community based process it is hoped that businesses that go beyond what is reasonable (marketing youth, trafficking persons) can be more easily identified, targeted and prosecuted by the criminal justice system without causing widespread de-stabilization of the entire industry.

The goal is not to eliminate police or other mainstream mechanisms from these processes. Rather our goal is to allow police to use resources more effectively against and easily find and prosecute those people who engage in illegal sex industry activities and to increase numbers of sex industry workers accessing mainstream supports

## **Conclusion**

The ideas and processes outlined in this report are in a very draft and incomplete form. BCCEC members want to be clear that each individual aspect of these plans must be developed and scrutinized by all stakeholders in detail if we are to reach common ground and common purpose in finding ways to increase the health and safety of ALL community members.

Our hope is that the draft materials and rational described here can be a starting point for a change in policy, to move away from punishment and towards protection and to find creative ways to work together, with in the current legal framework and with the health and safety of sex industry workers at the forefront.

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## **Opening the Doors- Final Report**

### **Project Background and Rationale**

During the **.Developing Capacity for Change Project**.-coop development work shops, workers expressed how a trade association and a branding or certification process could support safer work conditions over all and stabilize the existing safer indoor venues that exist now. The development of occupational health and safety training was also seen as a way to give people entering and in the sex industry the tools to make safe decisions about their work. It was agreed that all stake holders including business owners and consumers should be engaged to contribute to the design of the future of our industry.

Currently a charter challenge is underway to bring down the laws governing sex work. This action will only be successful if as an industry we can prove adult consensual sex industry workers are making an informed decision, have access to resources, are of legal age to engage in the sex industry and that ethical sex industry business owners do exist. In the next 10 years we must agree to respect each other and treat each other with dignity. This will be an enormous task but an absolutely necessary one none the less. If we cannot demonstrate the ways in which we have traditionally maintained the stability of our industry, the system at large will most likely impose whatever laws it sees fit and we as an industry will be faced with another disaster.

With this in mind, the BCCEW/C set out to engage sex industry workers in beginning the process and determining whether or not there is industry support for such an action and what the structure of such an organization might look like.

During the **Labour on the Margins Project**, union development work shops facilitated by the BC Federation of Labour, the following actions and recommendations emerged as common themes from dialogue with all stake holders including consumers, business owners and workers.

*Establish a consortium of sex industry stakeholders to develop an Industry Association and negotiate where there are areas of commonality. ie. violence, consumer theft, health and safety, and industry stability.*

*Develop Standardized Health and Safety Training for Sex Industry Workers and consumers in partnership with ALL stakeholders including business owners.*

*Develop and implement a certification process in partnership with all stakeholders to stabilize and promote sex industry businesses (inclusive of independent workers as businesses). Design an industry association seal or brand to distinguish those businesses that support and have received certification for the negotiated health and safety standards and training.*

*Design a complaints process and penalty system in partnership with all stakeholders to provide a system of self governance and enforcement for the sex industry.*

*Support the formation of craft unions or trade guilds for all aspects or jobs within the sex industry.*

*Establish a system of communications between the sex industry and those agencies who have traditionally had the role of policing or monitoring the industry such as the police, license inspectors and social work/ support agencies to prevent misunderstandings about safety issues within the industry.*

#### **Trade Secrets – Occupational Health and Safety in the Sex Industry**

BCCEC members agreed that the creation of occupational health and safety training for the sex industry was the first step towards achieving the goals outlined in the **Labour on the Margins Project**.

With support from Vancouver Coastal Health and over a period of 2 ½ years, the BCCEC facilitated a collaborative process engaging many sex industry constituencies in occupational health and safety community development activities:

The project identified health and safety risks in the sex industry in the following areas

- Workspace;
- Among co-workers;
- In dealing with clients;
- In negotiating with employers / agents etc;
- Personal well-being;
- Physical health;
- In relationships.
- Resources should a worker require them
- Legal information
- Information specific to trafficking and exploitation
- Safe sex information
- Business tips, and more!

The project is now complete and can be seen on line at [www.tradesecretsguide.blogspot.com](http://www.tradesecretsguide.blogspot.com) .

With this important project and foundation of our plans for sex industry stability complete, BCCEC members have turned our attention to moving the other actions forward.

We know historically how the elimination of employment choices and safe work environments has slowly but surely whittled away at the safety and stability of the sex industry and its workers. The lack of job opportunities caused by enforcement against us is forcing people to choose sex industry work outside of their comfort zone and contributing to increasing numbers of workers forced into the dangerous street level trade.

In conversations with affected business owners and workers the BCCEC described our industry association plans in an attempt to offer some hope. So to begin BCCEC members decided to draft Terms of reference for a national industry association and present them to the sex industry community for scrutiny, concerns and editing.

Naming the National Industry Association is a difficult task. For now the Canadian Adult Entertainment Council (CAEC) will be the working name.

### **Terms of Reference for Canadian Adult Entertainment Council**

#### ***Draft 2009***

***Sex Industry Stakeholder-*** A person who has experience either working within, providing services to, running a business in or purchasing services/products of the sex industry.

***Sex Industry Review Board-*** The sex industry is a matter of concern for all members of Canadian Society. To ensure transparency and accountability in the sex industry the CAEC propose the formation of a review committee to represent the interests of society at large. The CAEC feel that if representatives from criminal justice, health, government and a sex industry community member were to audit and monitor the activities of the CAEC, we will achieve transparency and accountability for within the sex industry.

***These Terms of Reference were created to ensure localized organizing in various constituencies across Canada have a common set of goals and processes.***

#### **Vision/ Goals:**

- To come together as an industry for the purpose of increased safety and stability for all stakeholders in the sex industry inclusive of workers, support workers, business owners and consumers.
- To empower and unify sex industry communities inclusive of all genres and genders to increase the security and stability of the sex industry.
- Build community relationships, forge partnerships, identify and engage allies and work with external expertise in pursuit of CAEC goals.
- Create a community where all sex industry stakeholders are respected and honoured for their experiences.
- To improve the occupational health, safety and capacities of sex industry professionals as employees and contractors within a legitimized profession
- To ensure consumers have access to resources, are safe engaging in sex industry consumption, can maintain discretion, are treated fairly and have clear choices for ethical purchasing.
- To protect ethical business owners from arbitrary attacks upon their honour, reputation and livelihood by law enforcement, former employees and the system at large,
- Design a process in partnership with all stakeholders to provide a system of self governance for the sex industry.
- Support the formation of craft unions, business improvement associations, consumer groups or trade guilds for all aspects, businesses, consumers or workers within the sex industry.

- To ensure transparency and to prevent abuse of Industry Association benefits, CAEC members support the formation of a Regional Government Review Board to ensure ethical industry practices are upheld and the ideals of Canadian Society respected. All CAEC locals and members will allow free access to membership information and proposed activities by the Regional Government Review Board.
- To abolish exploitation of youth or any person forced to engage in or trafficked into the sex industry.

### Guiding principles

- Work towards safety and respect for all sex industry stakeholders regardless of their location within the industry;
- Ensure the inclusion of diverse communities, perspectives, capacities and expertise from the sex industry;
- Promote progressive thought, forward thinking and continual positive change for the empowerment and education of sex industry stakeholders and the community at large;
- Keep harm reduction frameworks at the forefront and work toward social justice and social change to increase quality of life for sex industry stakeholders.

Seven hundred people reviewed and contributed the terms of reference and BCCEC members have formalized what will be known for now as the Canadian Adult Entertainment Council.

It has been acknowledged these “Temporary/ Draft Terms of Reference” are an emergency measure intended to support workers and businesses who are under scrutiny and that a far more detailed description of governance and conflict resolution will be necessary to attain our goal of inclusive governance for the sex industry.

### Sex Industry Review Boards

Throughout it’s work, the BCCEC have always been conscious of engaging in research or creating policies that reflect current federal standards for ethical engagement of marginalized populations. There are many sources to gather information on research ethics. A national set of guidelines that all Canadian universities must abide by is the Tri Council Policy Statement <http://www.pre.ethics.gc.ca/english/index.cfm> .

One of the requirements for researchers engaging in research involving human beings is to have the research scrutinized by an ethics review panel or board.

During consultations in regard to the CAEC Terms of Reference, mainstream community members shared concerns about provisions made to protect the confidentiality of sex industry workers stating that policies such as those proposed in the terms above do not create a transparent, open and accountable industry but rather would provide safe haven for traffickers behind the CAEC banner. The main concern was that while people understood the stigma faced by sex industry workers and that confidentiality was important for their safety, they were worried about a gap opening for abuses of confidentiality by traffickers and pimps and their illegal activities going un noticed.

Sex Industry Workers were also very concerned about potentially being “outed” as a sex worker or exploited by a person who discovered their sex industry worker status.

To address concerns on both sides, BCCEC members once again referred to the Tri Council Policies as a guide. Just as researchers are subject to ethics scrutiny by committee, so could CAEC and sex industry activities be examined by an ethics or oversight committee or review board.

Basic terms of reference for such a committee as touched on above could ensure the mainstream community is confident that the sex industry is being monitored and our activities scrutinized and sex industry workers can feel secure that their private and personal information is protected.

BCCEC members discussed what the role of the review board would be and what processes would need to be created in order to incorporate transparency and accountability into municipal processes.

Mechanisms to create transparency and accountability are crucial if we hope to improve the health, safety and working conditions of sex industry workers.

This process has been tried and proven to work effectively in combating child exploitation and human trafficking in India. For 12 years “Self Regulatory Boards” have heard complaints and made an impact on the safety of sex workers and their working conditions there.

The following is taken from the Durbar Mahila Samanya Committee Website; [http://www.durbar.org/html/anti\\_trafficking.asp](http://www.durbar.org/html/anti_trafficking.asp)

Movement and migration of human beings across national and international borders is not new. Globally, a large number of people migrate from their places of origin seeking better livelihood opportunities and for other reasons. People who migrate also do so because there is a demand for their labour in the destination countries/sites. Such (often illegal) labour are cheap as they are always at the mercy of their recruiters who can easily get them evicted if they organize or protest against exploitative trade practices or demand proper wages and/or benefits. As in other sectors, this demand for cheap labour from outside destination zone (be it cross-border or within-country) is present in the sex sector as well; in addition, majority of the labour that come in through irregular channels are people who come from low socioeconomic backgrounds with little or no literacy and limited skills. Migration to unknown areas/ countries by poor people, without proper travel permits or adequate knowledge is often carried out with the help of unscrupulous persons or groups, who traffic unsuspecting people seeking better opportunities from sites of origin to destination sites. Although well known, this 'unofficial' migration of people has been going on for a long time. Recent evidence suggests that in response to the increased demand for labour, and for other causes, including loss of traditional livelihoods due to globalisation, trafficking of human beings have intensified. Addressing this critical issue, in particular, in respect of its impact on the sex sector, requires innovative approaches and strategies.

Ever since 1997, when DMSC activists articulated the issue at the First National Conference of Sex Workers, the Organisation has grappled with the problem of underage girls trafficked into sex work sites and of unwilling women duped/coerced/forced into sex work. DMSC is active in addressing and challenging the structural issues that frame the everyday reality of sex workers lives as they relate to their material deprivation and social exclusion. From this standpoint, it stands against any form of exploitation and infringement of rights of human beings that includes sex workers and their children. DMSC is explicit, too, about its stand vis-a-vis forced or coerced labour in any form - if sex work is work like any other, then it must be subject to certain norms and conditions - decided upon and enforced by the workers in the sector - that must be fulfilled before anyone can start as a sexworkers. Hence, DMSC is strictly against trafficking of minor girls and unwilling adult women into sex work. It is also DMSC's experience that Immoral Trafficking (prevention) Act (IT(P)A), as enforced by the police, is insufficient to combat this trafficking with any great success. Therefore, DMSC felt the need to constitute Self regulatory Boards (SRBs) in the sex work sites. DMSC reasoned that these SRBs' would serve as a double check to prevent entry of minor girls and unwilling adult women into sex work, control the exploitative practices in the sector, regulate the rules and practices of the trade and institute social welfare measures for sex workers and their children. DMSC has also reasoned that illegal movement of people across international borders maybe prevented (to some extent) by enforcement agencies and border police, but intra-country movement cannot be prevented in this fashion. Moreover, there was no existing effective mechanism to combat trafficking in destination (of sex work) sites and only a committed group of sex workers could prevent entry of trafficked underage girls or unwilling women into the sex sector.

#### Functioning of SRB

Since 1997, the Organization decided to develop strategies to solve the problem of underage girls trafficked into sex work sites and of unwilling women duped/coerced/forced into sex work. Informal rescue of underage girls who came into sex work sites by DMSC began in 1997. Over the next two years, the structure of DMSC Self-

regulatory Boards (SRBs) was formalized. The anti-trafficking activities of DMSC can be broadly divided into following phases:

Phase 1 (1997-1998) : Voicing concern about underage trafficking, informal approaches, advocacy and demand creation within the Organization.

Phase 2 (1998-1999) : Piloting of formal Self-regulatory Boards in selected sex work sites in Kolkata and advocacy in forums outside the Organization.

Phase 3 (1999-2000) : Demand generation and increasing reach of SRBs.

Phase 4 (2000-2004) : Self-regulatory Boards established in many sex work sites in West Bengal and, formalizing of their activities and efforts.

Newness/Originality of the Self Regulatory Board of Durbar:

The Self-regulatory Boards of DMSC are innovative in the field of anti-trafficking activities in the following ways:

Partnership with Depts. of Health, Labour and Social Welfare, Govt. of West Bengal: From its inception, SRBs have developed links with Depts. Of Health, Labour and Social Welfare of the Govt. of West Bengal, advocacy among Ministers-in-Charge and Department Secretaries are done regularly. Of late interactions are going on with the State Government on registering a State-level Coordination Committee of SRBs to facilitate rehabilitation of women and girls rescued by DMSC and, to ensure that they get another chance at changing their lives.

Innovative public-private partnerships: Self regulatory Boards are collaborative efforts of sex workers and people from the rest of the society. Sixty per cent of the membership is from die sexworker community and comprise of sexworkers, DMSC branch committee members and peer educators of different intervention projects. Forty per cent of members of SRBs is comprised of local doctors, lawyers, councillors, Panchayat functionaries and local opinion leaders. Efforts are made to include, wherever possible, Social Welfare Officers, State Women's Commission members, ICDS and other government functionaries.

Focus of SRBs is to make recruitment of underage girls into sex work unviable for brothel-managers and madams. The central strategy is, therefore, rescue and rehabilitation of underage girls or unwilling women forced! coerced into sex work; SRBs concentrate their maximum energy and effort at identifying; rescuing and repatriating/ rehabilitating girls/women trafficked into sex work. DMSC feels, that the central focus should be on the trafficked girl/woman and efforts should be to rescue, repatriate and/or rehabilitate her. DMSC activists, being sexworkers and residing in sex work sites, are uniquely positioned to do this successfully. In areas where SRBs are functioning, trafficking of girls/women for sex work has become unviable for traffickers and other site controllers.

Standardised guidelines, history-taking and medical examination formats are used by SRBs for rescue, repatriation, rehabilitation and follow-up of women trafficked into sex work. S Networking and partnership with the police: SRB members regularly liase with the local police and continue advocacy of their activities with the district and state police. In a number of sex work sites, local police entrust SRB with rescue/rehabilitation of underage girls.

Maintenance of comprehensive documentation, including photographs of rescued persons by DMSC.

Rehabilitation of rescued girls in state-approved shelters and maintaining contact with them to ensure overall development of rescued girls with the aim of improving their chances in life. This is the central post-rescue thrust area for DMSC: providing access for the rescued girls in to nonformal education, vocational trainings and cultural activities. This is in contrast to the rescue of underage girls by law enforcement agencies - whose work ends, for all practical purposes, after the girls is rescued and put into a Govt. run rehabilitation home.

Other efforts: To improve the quality of lives of sexworkers and their children and to give the rescued women/underage girls better chances in life. DMSC runs adult literacy classes; education centres for children/underage girls and provides skills training in handcrafts.

## **The Current Project**

### **Transparency**

As a result of criminalization, the sex industry is very secretive about its practices and unwilling to open up for fear repercussions from the reactions of the mainstream community. This has led to much speculation about conditions within the sex industry but no discussion on what to do about it.

Some fears are well founded and indeed some people experience exploitation, violence and/or dangerous conditions while working in the sex industry.

A little known part of sex industry culture is that older or more experienced workers become business owners and share their knowledge with less experienced workers in an unofficial word of mouth traditional training as to health and safety training in the sex industry. This tradition is disrupted by targeted enforcement actions and the casting of all sex industry business owners as traffickers and pimps. This criminalization and stigma have caused less and less older/ more experienced workers to continue as business owners for fear of social and criminal repercussions as well as losing their life savings to the “proceeds of crime” laws. This created a gap for less honourable people to exploit.

Everyone agrees that no sex industry worker should have to face the first day of work alone or without the tools to make safe decisions about their work. Ideally, every new worker should have access to the knowledge and experience of another more experienced worker in the first part of their working in the sex industry.

As a result of the less honourable element emerging in the sex industry as business owners it was also agreed that standardized occupational health and safety training was the only way to ensure workers were receiving accurate information, access to resources and the tools to make safe decisions about their work.

The systematic targeting and elimination of safe work environments for sex industry workers through uninformed enforcement actions has proven to be one of the largest contributing factors to the ever increasing risk to the safety of sex industry community members and the communities where sex work takes place.

The closure of 17 exotic show lounges within a relatively short time frame and the loss of some health enhancement centers as a result of the raids has dramatically reduced the numbers of jobs available for sex industry workers within the safer indoor work environments. This has the adverse effect of creating a highly competitive job market in which workers will pay anything to secure a job indoors and will accept lower pay or work that is “unsafe” or beyond their physical boundaries.

Exotic dancers for instance choose an area of the sex industry which does not involve physical contact. The elimination of jobs in that area means a dancer must travel throughout the region to find work (go on tour). Not all dancers are able to travel; some have children, some attend university, one dancer even has kidney disease and can only work part time and definitely cannot travel. Poverty does not evaporate and so dancers are forced to find work in another area of the industry such as escorting or in a health enhancement center. Because dancers are for the most part younger, more beautiful, more marketable; as they enter an already strained to the max job market the trickle down effect is some older and less marketable will lose their job. If the worker pushed out by the dancers does not have the means to work independently or at home, what will they do? They still need to work and make money; welfare is not near enough to survive on and so are forced to choose to work in the dangerous street level sex trade.

During the Living in Community Project ([www.livingincommunity.ca](http://www.livingincommunity.ca)) which engaged all stake holders in designing an action plan to address the immediate issues facing communities and sex workers, residents and business owners impacted by street level sex work expressed their greatest complaints were;

- The residual mess- condoms and other garbage
- The public violence- every one agrees that the level of violence endured by survival sex workers is unacceptable.
- sex in plain view- looking out your window and seeing sex workers and customers together.
- Unwanted attention from sex consumers endured by women who are not sex workers
- And their children being faced with sex workers on the street while out in the community or on the way to school

Enforcement is largely complaints based and many of those complaints come from residents and business owners in communities affected by sex work. The irony here is the things they are complaining about are being caused by the systems response to their complaints in particular when those complaints are in reference to a legal and legitimate business and aimed at the eradication of that business solely based on it's being a sex industry business.

It's time for all stakeholders to stop, take a step back and re-examine the harmful actions of the past. The situation for residents and business owners is still degrading and sex worker are still being killed.

So, how do we distinguish an ethical sex industry business owner or worker from those who are exploitative, ensure sex industry workers have safe places to work and see safety is increased in neighbourhoods impacted by the disorderly street level sex industry.

**CUPE**- Canadian Union of Public Employees members suggested that a system of professional accreditation could provide a starting point from which ethical workers and business owners could be identified, sex industry workers could gain access to accurate information about their health, safety and resources available to them and a review board could base decisions.

BCCEC members took this under advisement and began to explore other professions that require minimum accreditation to work in that particular field. For instance- police officers must be accredited by the police association in order to work as police officers to ensure they are receiving what mainstream society considers to be appropriate training. On the other end of the scale a waitress must be accredited with "*servng in right*" in order to serve alcohol.

BCCEC members agreed that parts of **Trade Secrets** could be used to create such a system of accreditation by pulling out information related to specific stakeholders roles as the training followed by an open book test to complete accreditation as is done with waitresses and bar managers in regard to "*servng it right*".

This approach was favoured so as to not make the process too high barrier or difficult for workers or business owners wanting to take part. The idea is to make participation easy and beneficial.

### **How can Sex Industry Workers benefit from a system of professional accreditation?**

- Professional accreditation in the sex industry means jobs and safe places to work. If the industry bands together behind some basic minimum standards, the greater community will no longer be able to attack business owners arbitrarily. This will mean fewer closures of these businesses and more places to work.

The systematic vilifying of business owners has lead to the loss of most safe work options for sex industry workers and pushed some workers to chose work options beyond their personal physical boundaries (17 show lounges have closed in the last couple of years and forced some exotic dancers to chose other forms of sex work such as escorting) The minimum standards aspect will mean that workers can distinguish which businesses are good to work for and which may not be. The professional accreditation process will provide a tool for sex industry workers to make safe decisions about their work.

- Professional accreditation will give sex industry workers clear and concise information about their work. It will give them the tools to make safe decisions about engaging business owners, engaging consumers, safe sex, their emotional health, the law, and about finding support should they need it.

- Developing a process of professional accreditation in partnership with all stakeholders will allow sex industry workers to insure their concerns and insight are addressed and included. A trade mark signifying professional accreditation will allow workers to distinguish which businesses support safe work environments and support the minimum negotiated standards.
- Sex workers have never had a way to report unethical business owners or dangerous business practices. A balanced system of investigation and penalty tied to a system of professional accreditation would begin to stabilize the health and safety of sex industry workers and eliminate the increasing number of dangerous working environments emerging as a result of our industry being pushed further and further underground.

### **How can Sex Industry business owners benefit from being accredited?**

- Stability for the sex industry means a business owner's lively hood and hard work will no longer be subjected to uninformed scrutiny by police, license inspectors, and so called good will groups promoting the abolition of the sex industry. History has shown us how the greater community has targeted business owners and cast them as pimps, abusers, traffickers and as being involved with organized crime.

Professional accreditation could de-mystify our industry and support longstanding businesses that have provided safe and stable work environments distinguishing them from those who may be of a less honourable cast. New business owners could also be educated on the minimum required standards and ensure a level playing field for all.

- Standardized health and safety training/ accreditation would mean business owners could prove they had provided their employees with the information necessary to work safely. Most business owners do provide training for employees and are very conscious of the safety of their workers.

However, they have never been able to demonstrate their attention to this most important aspect of the sex industry. Through a standardized training system developed in partnership with ALL stakeholders (including business owners) these ethical, safe and healthy business practices could be recognized and supported.

- Developing an accreditation process in partnership with all stakeholders will allow business owners to ensure their concerns and experience are included, that the process is accessible and within reason as far as the operation of sex industry businesses. A professional association seal would allow businesses to distinguish themselves in the market for consumers and potential employees as businesses who support safe work environments and the minimum negotiated standards..
- Sex Industry business owners have also never had a way to complain about industry workers who take advantage of their good business practices or steal clients. This would allow these problems to also face due process and protect business owners from these types of behaviours.
- Business owners would also be able to protect themselves from sex industry workers making false allegations about their business practices. A community based process of governance and enforcement would take these issues out of the hands of the greater community and prevent decisions being made by an outside party with no understanding of our history and traditions. This would mean the police, license inspectors and end the sex industry groups would no longer have the power to completely disrupt our lively hoods and jeopardize our safety.

### **How can Sex Industry Consumers benefit from a system of professional accreditation?**

- Professional accreditation in the sex industry means that consumers will be able to engage sex workers or use a business's services secure in the knowledge that they will be treated with dignity and respect and be able to engage in these activities safely. Also, a consumer would be able to support ethical business practices and the businesses that uphold them.
- As a parallel project, educational information for consumers including new processes for lodging complaints and information about professional accreditation will be created. Because of criminalization,

consumers have been cast as somehow dysfunctional, rapists, and perverts. This makes it difficult for them to ask for information about their sexual health and the risks involved with engaging in the sex industry. This will provide consumers the tools to make safe decisions when purchasing sex industry services and ensure they have access to resources should they be the victim of a crime or witness a crime; ie- human trafficking.

Also, consumers engaging sex industry workers or businesses who are professionally accredited can be assured that the workers are well versed in safe and healthy sex work practices. The trade mark and professional accreditation will allow consumers to make ethical choices in the sex industry businesses they choose to support.

- Sex industry consumers have never been able to lodge complaints about bad service or business practices except in the on-line forums where service providers are reviewed. Offences like being robbed or noticing a worker appears to be too young are difficult to report due to the stigma and close scrutiny an investigation can bring on the consumer himself.
- A community based process which ensures the confidentiality of complainants will allow this process to work without harming peoples personal lives and stability.

### **How does the Mainstream community benefit from a system of professional accreditation?**

- Professional accreditation in the sex industry means that the greater community will no longer have to wonder about conditions within the industry or be forced to impose uninformed actions against it. Through development of minimum standards and occupational health and safety training the greater community can be comfortable in the knowledge that sex industry workers are being given the tools to make safe decisions and have safe places to work.
- The greater communities concerns are generally centralized around the street level sex trade. The public sex acts, violence, unwanted advances from consumers and condom mess reflect the lack of safer indoor jobs in the sex industry. The systematic removal of these safer indoor environments must be halted to stem the number of workers entering the dangerous street level trade. It is hoped that through professional accreditation and education, the numbers of sex industry workers working in harmful conditions will dramatically decrease.
- Professional accreditation will allow the greater community to be confident that all sex industry stakeholders have been given the tools they need to protect their health (including exiting and support services), safety and stability while engaging in the sex industry.
- A professional accreditation process and trade mark will allow the greater community to make informed decisions about any actions taken against the sex industry. Blanket assumptions about our industry and the businesses engaged in it from the past have had disastrous results for our industry. Professional accreditation will protect those businesses who do support health and safety from being targeted and shine a light on those operating outside of accepted standards allowing the greater community to support actions in relation to the sex industry from a better informed perspective.
- The greater community has always felt the need to carry the burden of policing our industry. Through this confidential, community based process it is hoped that businesses that go beyond what is reasonable (marketing youth, trafficking persons) can be more easily identified, targeted and prosecuted by the criminal justice system without causing widespread de-stabilization of the entire industry.

The goal is not to eliminate police from these processes but rather to allow police to use resources more effectively against and easily find those people who engage in illegal sex industry activities.

- The greater community have long had to rely on rumours and biased data to form an opinion of working conditions in the sex industry. By creating an open and sex industry inclusive system of accreditation, the greater community will have a clearer picture of the make up of, conditions within and safety of the sex industry.

### **Processes for Licensing and Professional Accreditation**

BCCEC members agreed that passages adapted from “**Trade Secrets**” could be expanded upon or refined to become the foundation of the processes for professional accreditation.

Using the format adapted by the “Serving it Right” licensee program manual, BCCEC members have drafted a “Sex Industry Licensee Program Manual” including a rights and responsibilities section donated by PIVOT legal society, contact information for Vancouver resources and support agencies and practical information about safely engaging in the sex industry.

BCCEC members propose making accreditation mandatory and tied to licensing. A trade mark would identify workers and business owners taking part in the licensee program to police and to sex consumers.

These processes should be translated to ensure they are language appropriate for all workers.

It was also suggested that people should be able to request “licensee program materials” via mail from the city or through sex worker support agencies such as PACE, PEERS or WISH to make the process as easy and accessible as possible.

Licensee’s could mail in their completed exam but would have to appear in person to pick up the license from the city of Vancouver business licensing desk. This is so that city staff can check a worker or business owner’s identification, ensure they are of a legal age to engage in the sex industry and issue the license and certificate of accreditation.

### **Educating Sex Consumers and promoting ethical purchasing habits.**

BCCEC members have published a first edition of educational materials for sex consumers “*for our clients*”.

Additions related to new by-laws, professional accreditation and complaints processes will be necessary to ensure sex consumers have the information they need to support ethics in the sex industry.

Sex Industry Consumers are the key to eliminating exploitation and trafficking in the sex industry. As potential income or customers they are invited into places we would never otherwise see. By making it safe for sex consumers to report exploitative conditions should they witness them, we hope to see an increase in the numbers of these cases being prosecuted.

### **Licensing/ By Law Revisions**

For these measures to work they must be incorporated into the City of Vancouver by-laws. In 2007, BCCEC members developed a series of recommendations intended to revise the City of Vancouver’s by-laws that license and regulate businesses where sex industry workers have traditionally been employed. The suggested revisions are provided in the interest of stabilizing the local sex industry, including relevant aspects of the health enhancement sector, while increasing the health and safety of both sex workers and the communities where sex work takes place.

The BCCEW/C offered these recommendations in the spirit of its Guiding Principles which compel the Coalition to work to open dialogue aimed at the reduction of harm to sex workers and the elimination of the social, economic, and political conditions that lead to the survival sex trade, sexual slavery and trafficking in persons. We note that the City’s “health by law” (By-law No.6580) provides for the promotion and protection of the health of the inhabitants of the City of Vancouver.

The revisions developed in 2007, did not include additions to accommodate the ideas outlined in this report. The final by-law revisions will have to include many of the processes and policies being suggested here.

BCCEC members and PIVOT legal society discussed and over bridging “Adult Entertainment License” to be required by all people working in exotic show lounges as dancers or massage workers, in health enhancement centers, for escort services, as adult film stars or as web camera operators.

Previously, not all workers in these sectors were required to be licensed leading to speculation that workers in these sectors were under aged or trafficked. By implementing an over bridging sex industry genre inclusive license, it was felt the process could be simplified rather than different licenses for every different sex industry area.

To ensure the process is low barrier, BCCEC members and PIVOT legal society felt that an inexpensive fee would be most appropriate. \$10 was suggested.

Penalties for non compliance as developed by the “Local Sex Industry Review Board” ( SIRB) should also be part of the amended by-laws to ensure people are clear on what is expected of an ethical sex industry licensee.

The following represent a draft of proposed by law additions to support the processes as described here;

**City of Vancouver By-law (XXX.0) makes completion of the Sex Industry Licensee Training mandatory for sex industry business licensees, managers, and employees (inclusive of waitresses, bouncers, dj’s, booking girls, drivers, etc)**

**The responsibility of ensuring compliance and practice of the responsible sex industry practices program is with the licensees, and should licensees not comply, they will be placing their licensing privileges in jeopardy. Where non-compliance by the licensee or any staff member is found, enforcement action will be directed at the sex industry licensing privileges.**

**This includes but is not limited to the exotic dancing industry, health enhancement industry, escort industry, adult film industry, bdsm/ fetish industry and web cam industry.**

#### **Control through identification**

- All sex industry licensees and workers must present 2 pieces of government issued ID, one picture. These will be photo copied and held confidentiality in the licensees or workers file as proof of legal age to engage in the sex industry. Access to this private information will be strictly limited and access only granted if a threat to the life or safety of a person can be proven.
- The license and professional accreditation are the property of the person it is issued to and is not transferable.
- The accreditation certificate may or may not display the accreditee’s name. For the sake of the privacy of individual license holders and accredited workers, the licensee or worker may use a pseudonym or “work name” to appear on the license or certificate of accreditation.
- A grace period of 4 weeks will be allowed for workers and licensees to comply and submit their application for licnesing or completed accreditation materials to the City of Vancouver for scrutiny. All sex industry licensees must have submitted their applications and accreditation materials by the time the 4 weeks has passed and are allowed to continue to work during that time and until their application has been in front of the committee for approval.

#### **Control through prevention**

- All sex industry business owners, sex industry workers, and sex industry support staff must undergo a criminal record check in order to qualify for a sex industry business license and/or sex industry safety accreditation. This information will be held confidential by the City of Vancouver unless it is proven a threat to the life or safety of a person.
- The criminal records check will not be a sole determining factor in license and accreditation approval. Charges or records will be examined on a case by case basis and are generally intended to prevent convicted rapists, child molesters, traffickers and pimps from engaging in or being employed by sex industry businesses or workers.

- All sex industry business owners, sex industry workers, and sex industry support staff must take part in the *Sex Industry Licensee Program* in order to qualify for a license in order to ensure all licensees have the tools to make safe decisions about their work and more importantly, access to resources. The program fee is \$10.

### **Control through intervention**

A Sex Industry Review Committee will scrutinize individual licensee's activities on a case by case basis. The committee will work to ensure compliance by all sex industry licensees in the City of Vancouver and the elimination of human trafficking and the exploitation of youth or any person.

- All license applications and renewal applications will be scrutinized by committee. The committee membership will include City of Vancouver staff, Vancouver Police, Vancouver Coastal Health and a sex industry representative to ensure a balanced and inclusive process.
- All complaints in regard to unethical sex industry activities will be reviewed by the committee. Decisions of the committee will be held in the file of the licensee and/or accredittee.
- All complaints will be held in the licensees/ accredittees file and they will have a chance to answer any complaints against them.
- Complaints of a criminal nature will be investigated by police.
- Penalties for breach of Professional Conduct will be decided by the committee and can range from a fine to a suspension of license and accreditation or even a permanent ban from doing business in the sex industry in Vancouver. These penalties shall also be stored in the licensees/ accredittees file.
- The contents of a licensees file as described above will be considered by the committee during the license renewal process and may affect the renewal application outcome.

In addition, we would like the City of Vancouver to consider the original by law revisions as far as preferred licenses, rate balancing and the removal of clearly biased and illegal by laws excluding sex industry community members from mainstream society.

More specifically, we would like to see the body rub license become the license of choice over health enhancement center. The term health enhancement center is confusing to sex consumers and makes any prostitution occurring in the business illegal. The body rub parlour business license on the other hand seems to create a space where 2 consenting adults can legally engage in prostitution as it is more of a "rooms for rent" business. Just as in a hotel, the room rented becomes a private space and just as in a hotel what happens behind closed doors is private.

It is hoped that this business license definition will allow police to maintain their commitment to the criminal code of Canada while allowing stability for sex industry businesses providing safe, health places to work.

All industries are subject to safety inspections and accountability, so to will be the sex industry. A man working in a factory is protected by labour law and safety regulations and factories are routinely inspected for health and safety by mainstream systems.

The BCCEC believe that the sex industry community can ensure unbiased processes are created for inspections and safety scrutiny by pushing for an inclusive process.

By that we mean, a process that includes sex industry representation at every level.

For instance, inspections could be conducted by a specialized sex industry specific community policing partnership team employing a sex industry worker and police officer and. The inspection/ specialized policing team would have policies and working procedures defined in an inclusive process including all stakeholders to ensure maximum success and would report any problems, questions or concerns to the Sex Industry Review

Board. This would ensure the knowledge and experiences of all sides are included in any decisions impacting the health, safety or job choices of sex industry workers.

The proposed review process/ review board could work as a committee including members from police, health city staff and a sex industry community representative. BCCEC members also discussed how the sex industry review board could consult on any proposed enforcement or other targeted actions that may impact stability in the sex industry and ways in which a community policing partnership car could facilitate unbiased treatment of and increased safety for sex industry workers in particular during enforcement actions.

For instance- An enforcement action meant to rescue the victims of human trafficking undertaken by the Vancouver Police. The spirit of the action was noble however not enough thought was given as to process and support. Officers entered sex industry businesses with guns drawn, threw all workers on the floor to secure the area (standard police safety procedure) and then proceeded to arrest everyone. No supports were provided, no translators (many workers targeted were non English speaking) and when workers were found NOT to be trafficked but working here illegally, they were deported. This made affected workers and business owners mistrust police and as a result of not wanting to be deported, this group will not call police for any reason.

It is hoped the review board as proposed by the BCCEC could be consulted in the future as to procedures for such enforcement actions and may have been able to fill some of the gaps and unintended harms that emerged as a result of this action and other enforcement strategies of the past.

Members agreed that reviewing past and proposed actions or procedures that could potentially create gaps or unintended harms should definitely be a part of the role of the Sex Industry Review Board.

There are currently no processes for sex industry complaints in Vancouver and some unethical businesses continue to operate with impunity. Financial penalties (fines) that put workers into a “debt servitude situation”, 24 hour a day 7 days a week shifts, incorrect information about workers health (insisting on or lying about the dangers of unsafe sexual contact- bbbj- bare back blow job), reckless endangerment of workers sending them into unsafe situations (alone with 50 men in a gated property), “starving” (being given no work) workers who refuse to comply, and emotional and physical abuse. It is hoped that a model of complaints by committee would be able to address these labour issues and that workers would feel comfortable reporting violations to a committee that included sex industry representation to ensure unbiased outcomes.

So, some suggestions for the role of the **Sex Industry Review Boards** would be;

- To hear complaints from workers about business owners
- To hear complaints from business owners about workers
- To hear complaints from the mainstream community about sex industry workers or businesses
- To hear complaints from the sex industry community about unfair treatment by the mainstream community or public employees as a result of sex industry biases.
- To review new license applications and
- To review license renewal applications.
- To hear reports and recommendations from the Community Policing Partnership Car
- Determine penalties for licensee infractions

As is done in the restaurant or bar industries, complaints would have an affect on professional accreditation and ultimately on whether or not a license is renewed. By linking the processes together any business owner or worker exposed by complaints as operating outside of excepted standards could be more easily identified and appropriate measures taken. The sex industry specific community policing team could conduct inspections and do outreach to the sex industry community answering any question or concerns people may have about participation in the *Sex Industry Licensee Program*.

### **Foreign/ Non Canadian Sex Industry Workers**

Migrant workers from foreign countries working in Vancouver’s sex industry and in particular those who do not speak English and whose working conditions are the subject of great speculation are of great concern to the mainstream and sex industry communities.

Language appropriate materials and a “working” or “visitor” visa plan developed in partnership with Immigration Canada could ensure legal status for visiting workers and that those workers receive accurate information about sex industry health, safety and support services in Canada.

Past actions taken to address safety issues for this population have had some unintended consequences and reports from groups like the Global Alliance to Combat Trafficking in Women (GAATW) detail these potential problems as well as solutions.

The fact that these reports describe some deported migrant sex workers are imprisoned or executed upon arrival in the home country should dictate an inclusive response. Simply stating that they are illegally in Canada, deporting them and not considering what happens to them after deportation is unacceptable. As Canadians who are seen as leaders in human rights advances on the world stage, we cannot turn a blind eye to the fate of these deported workers.

We must find a way to ensure they have rights, status and access to resources while they are in Canada.

### **Under aged/ Youth engaged in sex work**

Youth engaged in or being exploited in the sex industry is also a great concern for mainstream and the sex industry communities. BY-laws and the Criminal Code of Canada make it illegal for a youth or person under the age of 18/ 19 to work in the sex industry.

These processes are intended to increase the health, safety and stability of adult consensual sex industry workers but BCCEC members felt that young people could benefit from the valuable information contained within the accreditation materials. Accreditation would not be possible until they were of legal age to engage in the sex industry but having access to the materials contained in the licensee program manual could increase their health and safety anyway.

Also, it is hoped that resources freed up by the processes could allow police to focus their efforts on protecting this vulnerable and at risk group.

### **By Law Enforcement**

By law additions and revision alone will not be enough to ensure compliance and fair treatment of sex industry community members. A system of inspection and penalty tied to the professional accreditation and licensing process will be necessary to ensure to greatest possible outcome and impact of sex industry health and safety.

### **Inspections**

Inspections happen in every industry in Canada. Safe work spaces are the rights of all workers. The community policing partnership team, sex worker support agencies and the usual government bodies who conduct inspections in other areas can all take part in monitoring compliance and ethics in the sex industry.

New policies and procedures will have to be created to ensure fair and balanced treatment of sex industry community members during inspections. Sex Industry support agencies who already have done outreach and made connections with indoor business owners and workers would play a vital role in helping people transition smoothly into the new licensing programs in a way that ensures their comfort, confidentiality and the minimum amount of disruption.

Inspectors, the Community Policing Partnership Team and sex worker support agencies would all be required to report their findings whether good or bad to the Sex Industry Review Committee for consideration or action.

Ultimately, the sex industry review committee will be responsible for all actions and decisions arising from inspections for compliance.

These inspections are not intended to replace, dictate or impede police activities and criminal investigations but rather to work in partnership with police towards better policies and procedures for enforcement actions, the elimination of the exploitation of youth or any person in the sex industry, better understanding of sex industry

structure and community and to ensure police are aware of resources and programs available sex workers in need of support.

## **SIWSAG**

The Sex Industry Worker Safety Action Group (SIWSAG)<sup>2</sup> was created in 2007 to bring together local police, sex industry workers, representatives from service-provision agencies and other community stakeholders to address the increasingly dangerous and negative conditions relating to the safety and security of sex industry workers in Vancouver. Many sex industry workers face high levels of victimization and the marginalization experienced by street-based workers serves only to exasperate the situation. In order to improve the safety of this vulnerable segment of our society, along with improving the relationships between the VPD and SIW and SIW service providers, the action group has formed to undertake collaborative work in the following key areas:

- Increasing and improving incident reporting
- Identifying predatory offenders
- Self-defense and violence prevention training
- Improvement of communication between sex industry workers and the police
- Creating professional development materials for sex industry workers and new recruits to the VPD
- Facilitating greater success in the prosecution of those who commit violence against sex industry workers
- Improving direct outreach to the sex industry

This unique, one of a kind project has the potential to significantly impact relations between police and sex industry workers, while at the same time addressing and increasing the safety and security of those who participate in this industry. Improved relations are key to addressing the overall safety of the workers, as the existing situation features the results of a history of negative relations and a basic lack of trust between officers and sex industry workers. As a result we have seen devastating cases emerge such as the Robert Pickton trial and the Missing Women's cases.

Over a series of meetings and discussions about a community policing partnership car, SIWSAG members agreed that the partnership alone did not cover the new policies and practices needed for police to effectively monitor activities in the sex industry. In lieu of the plans as outlined above, we are including the recommendations resulting from those discussions.

### **Community Policing Partnership Car**

Criminalization has led to a culture of mistrust between the sex industry community and the VPD. Sex workers are reluctant to report violence against them for fear of being judged and sex workers also fear being seen as working with the police and having to face reprisal from the "street" community.

During the Living in Community Project<sup>2</sup> we learned that the majority of complaints coming from residents and business owners in communities affected by sex work are nuisance related and cost a lot in police resources.

Developing a community-VPD partnership that brings together both perspectives by hiring one experiential person (victim services trained sex industry representative) and a police officer to focus on the common goal of safety could begin to bridge these issues of mistrust, support the implementation of the plans outlined above and ensure fair treatment and support of sex industry workers during VPD operations.

The Sex Industry Worker Safety Action Group has agreed on the following goals for the Community Policing Partnership Car Project;

### **Goals**

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<sup>2</sup>The Sex Industry Worker Safety Action group includes members from the following organizations: ASIA/ ORCHID: Asian Society for the Intervention of Aids/ Outreach, Research, Community, Health Initiatives and Development ; BCCEC: BC Coalition of Experiential Communities; Boys 'R' Us; HUSTLE: Men on the Move; PACE: Prostitution, Alternatives, Counseling and Education Society; Pivot Legal Society; West Coast Cooperative of Sex Industry Professionals; VACFSS: Vancouver Aboriginal Child & Family Services Society.

- To provide specialized sex industry specific policing resources for victimized sex industry workers
- To connect sex industry workers to support services and organizations
- To build alternative strategies and best practices for police and communities to better cope with ancillary issues arising from the sex industry
- To work with residents and business owners in communities impacted by sex work to resolve their concerns

### **Best Practices for VPD engagement of the sex industry community**

#### **Overall objective**

The SIWSAG also propose undertaking an evaluation of existing practices that are used to enforce the criminal laws associated with the sex industry (sections 210-213 and any other related offences). Ultimately, we hope to identify the strategies currently in use by Vancouver’s Municipal Police Department (VPD), and those recommended by the participants in this project, to create a best practices document and facilitate increased safety for the sex industry community when interacting with the criminal justice system.

#### **Specific Objectives**

- We will design and host a series of workshops with each stakeholder group (specific divisions within the VPD such as Vice, Div. 2, Diversity, Major Crimes; sex industry workers; the clients; and local businesses) to identify the practices that are currently used to enforce the criminal laws related to prostitution in Vancouver.
- The workshops will outline the practices in use, any challenges faced by officers in enforcing the laws, and any institutional constraints affecting the enforcement of the criminal laws. In addition, we will identify unintended impacts of the enforcement on the sex industry community and provide a venue for discussion on how to address both the needs of law enforcement and the needs of sex industry workers.
- Upon completion of the workshops, we will prepare a discussion document containing the findings for dissemination to all participants.
- A final all stakeholders’ meeting will be held to discuss the findings and create a final set of recommendations.
- Finally, we will evaluate the project and disseminate the Best Practices Document to all stakeholders, the Solicitor General, the RCMP and other local municipal police forces. Then, we will seek additional funding to replicate this pilot project with Crown Counsel, Corrections and the Judicial branches of the Criminal Justice System.

#### **Professional Development Package for VPD/ City of Vancouver Staff.**

In order for these ideas to achieve their goals, police officers, licensing staff, city staff, license inspectors, etc. must all be made aware of the changes and best practices emerging, sex industry specific policing goals, the sex industry review board and it’s purpose, by-law revisions, etc.

Members of SIWSAG agreed that a professional development package could give officers and city staff the information and tools they need to implement the plans outlined above.

The following is an outline for such a project;

#### **GOALS OF THE PROJECT**

- To provide city staff and police officers with the tools to provide meaningful protection and access to resources for all sex industry workers, regardless of gender.

- To increase city staff and police officers knowledge of supports available to sex industry workers, issues and barriers facing sex industry worker's, and best practices for engaging with the sex industry community.
- To create a standardized presentation and package of materials for this purpose.
- To ensure that all stakeholders have the opportunity to contribute to these tools.

### **Vancouver Police VICE Division**

The VPD VICE Division have traditionally carried the burden of policing the sex industry. It is hoped that through systems outlined above, VICE will be able to better identify, target and prosecute sex industry businesses operating outside of what is considered acceptable within the mainstream community.

VICE will have access to information emerging from the sex industry review committee in terms of unethical behaviour as well as through the community policing partnership team.

It is also hoped that the Vancouver VICE division will be able to easily identify businesses operating outside of the accepted standards through a Trademark or system of branding tied to the Professional accreditation and licensing process. Businesses displaying the trademark or brand in advertising, or in business locations will be obvious as ethical and those without the trademark obvious as unknown working conditions.

The BCCEC and its members favour a soft handed approach to first time offenders, but feel this maybe a very effective way of identifying any businesses operating outside of ethical practices.

### **Penalties**

Some suggestions as far as penalties were a probation period for a person or business with a minor infraction and for those engaged in more serious complaints, complete revocation of licensing and accreditation or intensified inspections and scrutiny until the issue of the complaint is resolved.

In terms of the impact of these penalties, BCCEC members agreed that development of a trade mark as proof of accreditation/ or lack there of combined with educational outreach to sex industry consumers and workers about the meaning of the trade mark could prevent workers from seeking employment with a known exploitative business owner or prevent a consumer from purchasing the services of such a business.

The idea is to shine a light into every dark corner of the sex industry and weed out those who would exploit people but acknowledge those who support safety in the sex industry.

BCCEC members felt that this issue is a far reaching one and that as a group we did not have sufficient knowledge or experience to ensure the most complete processes were created.

An inclusive process for scrutiny of these ideas was favoured to give all people a chance to express their ideas and concerns.

As a next step, BCCEC members developed a discussion document outlining our plans and invited all stakeholders to take part in a meeting where they could bring forward any concerns and suggestions to the recommendations and outcomes of this report. The following are the minutes from that meeting.

### **Opening the Doors- May 2010**

#### **Meeting Minutes**

13 people present representing VPD, sex worker support agencies, City of Vancouver, sex workers, sex consumers, UBC and SFU.

1. Welcome and Introductions

## 2. Review of proposed processes

The project coordinator explained the accreditation processes as outlined in the discussion document and produced a copy of the “Serving it Right” Licensee program manual as well as a hard copy of the Draft- Sex Industry Licensee Program Manual. The coordinator explained that the alcohol service guidelines were the foundation of many of the proposed processes and that in fact the first part of the sex industry licensee program manual draft were almost word for word copied from the alcohol service guidelines and processes.

By adapting a widely recognized and successful tool to fit the sex industry, it was felt that it would contain appropriate language and address public concerns surrounding “vice” as alcohol was once illegal.

The coordinator offered to answer questions and the group decided rather than get into questions at this point, to get into the close scrutiny of individual aspects of the proposed processes. And work the questions as we went through it.

## 3. Close scrutiny of individual aspects of proposed processes

- Processes for licensing and accreditation

The project coordinator explained that initially an over bridging “adult entertainment” license was proposed for all sex industry workers but that upon reflection and discussions with other stakeholders, this was seen as unnecessary. It was noted that in New Zealand, independent workers working on their own or 2 or 3 together did not require licensing and they have had a lot of success addressing many of the same issues concerning Canadians in terms of sex industry safety.

The coordinator referred to the BCCEC Vancouver By-law Revisions of 2007 noting that current licensing practices/ guidelines seem to be similar to those issued for hairdressers. A hair salon requires a business license and the hairdressers working there also require individual licenses as employees/ sub contactors. An escort service also requires a license as do the individual escorts employed as sub contractors there. The coordinator also pointed out that the health enhancement center business license did not require individual employees to be licensed and that perhaps this was the reason for all of the speculation as to the status of these workers being trafficked, underage, etc.

The coordinator then referred to the alcohol service guidelines and licensing once again to draw comparisons in approach noting that while a bar or night club owner must be licensed as a business, bartenders and waitresses do not require licenses.

The coordinator suggested that accreditation alone without licensing of sex industry employees maybe the simplest low barrier solution.

The group discussed this and agreed that accreditation alone seemed to be the obvious choice and that if it were made mandatory in a city bylaw, we could be sure that all sex industry employees have access to resources, were of legal age to engage in the sex industry and have the tools to make safe decisions about their work.

Some members of the group then raised concerns about the impacts of these processes on “survival” or street level sex workers. The testing could be too high barrier and could further marginalize street level sex workers some of whom are of diminished capacity.

The coordinator stated that no one was proposing licensing street entrenched or impoverished workers.

A group member pointed out that some sex worker support agencies had supported sex workers in acquiring professional accreditation for other areas of employment and had received their “serving it right”, “food safe” and “super host” accreditation. Since these were not too difficult for sex worker participants and the proposed processes for accreditation mirror these programs, they would be sufficiently low barrier for any sex worker wishing to take part.

Another group member suggested that it might in fact be a good thing to include street level sex workers in the program and that it could in fact empower them. It was suggested that a mentorship program done in partnership with sex worker support agencies could support workers in gaining their accreditation and that this vulnerable group also need to be given access to resources, knowledge about their rights, knowledge about their health and

safety, knowledge about the impacts on the communities where they work and of course the tools to make safe decisions about their work.

The group then discussed accessibility. Sex industry workers generally want to maintain their confidentiality and are afraid of facing bias during these processes. Since the Sex Industry Licensee Program testing is an open book format, it was suggested that the program be made available through sex worker support agencies, online, via mail, in doctor's offices, from the sex industry business owner they wish to be employed by, at the newspapers where sex industry ads are featured and at the City of Vancouver business licensing desk. This way all workers could discreetly obtain their accreditation in which ever way makes them most comfortable.

Also, by making the accreditation material available through sex worker support agencies networks of sex workers already in place can be utilized ensuring maximum awareness with all levels and genres of sex workers. Sex worker support staff could answer any questions and help workers complete their application.

The matter of being of legal age to engage on the sex industry was then discussed. The coordinator outlined the biggest concern of the mainstream community in terms of sex industry workers and their safety was that they may be underage. Anytime sex industry workers are asked to reveal their true identity they are taking a risk but in order to address the concerns of the mainstream community at some point during accreditation sex industry workers will have to produce their government issued identification to prove they are of legal age to engage in the sex industry.

The group discussed the ways in which the confidentiality of workers could be protected. A "double blind" system was proposed in which a photo copy of the workers identification would be taken and kept in a file, the workers personal information never entered into a computer or any where else except as a photo copy in a file. The sex industry worker would then be known as a number within the system and any complaints against the accredited person would be attached to that number. That way, the sex industry workers identity remains confidential but proof of legal age is provided. This was also seen as a way to prevent biases against a particular worker or business owner by a member of the Sex Industry Review Board.

The group discussed the role and make up of the sex industry review board. The coordinator referred to the processes researchers undergo during research on human beings, more specifically the research ethics review board processes. The group agreed that to ensure balanced decision making within the review process, police, city staff, sex worker support services and sex industry community members should be included in the make up of the board.

The group agreed that the role of the review board would not include criminal matters and that all matters falling under "illegal" in status would be the responsibility of the police and referred to VPD.

The group agreed that the role of the review board as outlined in the discussion document was a great starting point but that the board itself would need to do some work to define terms of reference and the role it would play.

- Educating Sex Consumers

The coordinator described educational materials developed for sex consumers as a way to promote ethical purchasing habit and to ensure consumers knew how to report criminal activity should they witness it.

The group agreed that through creation of a trademark or brand signifying accreditation and further development of educational materials, sex consumers could be encouraged to support ethical and accredited workers and businesses.

Because sex consumers are generally very private about their activities, some members of the group raised concerns about how they would access the information. Some suggested points of contact were; doctor's offices, city hall business licensing desk, on-line forums such as perb.ca, "john school", patrol cars, sex industry businesses( exotic show lounges, sex shops, massage parlours), and therapy centers. It was also suggested that the format be small and something they could discreetly grab and put in their pocket,

The coordinator also noted that the news papers in Vancouver where sex industry workers and businesses advertise had in the past offered free space for sex industry support services. It was suggested that perhaps a

targeted advertising campaign could also increase awareness amongst sex consumers about ethical purchasing habits.

The group discussed the “for our clients” document created by the BCCEC and agreed that it would need to be revised to include information about accreditation and the trademark/ brand.

- Licensing/ By-law revisions

The group agreed that accreditation could be mandatory through city by-law and that the wording of such a by-law is best left to city staff to draft something based on the processes suggested here.

It was once again agreed that individual workers and employees in sex industry businesses would not require licensing but would be required to take part in the sex industry licensee program.

The by-law requiring criminal record checks for all license applicants was clearly a concern for all. This has long been a barrier to licensing for anyone ever charged under the prostitution provisions of the criminal code. The group agreed with the information in the discussion document that the criminal records check should not be the sole determining factor in whether an applicant’s license is approved but that the check was generally intended to prevent child molesters, rapists, traffickers and pimps from working in or owning businesses in the sex industry.

It was agreed that the sex industry review board could review each application its individual merit and decide whether a criminal record warrants the denial of an application.

- Draft By-law additions

The draft of the by-law additions in this regard were good and were based on well known language taken directly from “serving it right” alcohol service accreditation. The group once again agreed that these would need to be written by city staff and contributed to by all stakeholders.

The BCCEC revisions of 2007 were also seen as relevant in terms of removing archaic sections excluding sex workers from the mainstream community.

- By-law Enforcement

The soft handed approach as detailed in the discussion document was supported by the group. The Community Policing Partnership Car, sex industry liaison officer, and outreach teams from sex worker support services were seen as the best ways to conduct non invasive inspections. Teams could wear plain clothes and bring condoms, the bad date sheet, and other harm reduction supplies as well as offer frontline support should workers need it in a soft handed, trust building out reach strategy.

These teams could report to the sex industry review board on conditions within various businesses and also report dangerous conditions should they witness them to VPD Vice division.

VPD Vice division could also use these networks to investigate complaints against a business owner or worker. The information gathered by the teams and sex industry liaison officer could indicate a pattern of behaviour that either proves or disproves an accusation or complaint in particular if the accused has a history of similar behaviour. On the other side, it could protect longstanding ethical business owners and workers from false allegations preventing “legal bullying” by former employers or employees wishing to cause problems.

- Inspections

There were some concerns about who should conduct inspections. One group member suggested that Work Safe BC should be involved and may be able to make some suggestions as far as who should conduct inspections and what that might look like. Most concerns were centered on the police conducting inspections. This could be frightening for workers and consumers and has proven to be too disruptive to achieve our goal of trust building with sex workers and ethical sex industry business owners.

The group agreed that this aspect needed a lot of consideration and that support services attending and translators for non English speaking workers were critical. It was agreed that this aspect would be a risk on all sides but necessary in order to ensure compliance.

- SIWSAG recommendations

The group supported the recommendations emerging from the SIWSAG support many aspects of the proposed mechanisms. The community policing partnership car could take part in soft handed inspections and ensure workers were safe and that business owners were complying with the new rules about accreditation. The development of policy and procedure revisions/ additions to ensure fair treatment based on best practices as well as professional development materials to ensure city staff and police are aware of these changes.

- Vancouver VICE

The coordinator expressed that participation from VPD Vice division was critical. In order to ensure ethical business owners are protected and sex industry workers have job choices, we must find a way to work in partnership with police to prevent the type of blanket enforcement actions we have seen in the past and the targeting of sex industry businesses simply because they operate in the sex industry.

The group agreed and expressed hope in seeing the contributions forth coming from VPD in terms of the proposed processes.

- Penalties

A sliding scale of penalties was favoured as described in the discussion document and group members felt that this could be part of the work developed by the sex industry review board. During the development process all stakeholders would have a chance to review other penalty processes used in other industries and design what penalties might be appropriate for the sex industry and under what circumstances.

The group agreed that this would have to constantly be revisited as new conflicts emerge in the sex industry.

#### 4. Final Thoughts

Group members were generally excited about the proposed plans and their potential to impact the health and safety of Vancouver's sex industry.

The coordinator thanked everyone for coming and promised to send out the meeting minutes for participant's approval and for any additions they have thought of in the time since the meeting.

### **Recommendations**

Vancouver Sex Industry Stakeholders have agreed on the following recommendations for submission to city staff and informing the report going to City Council;

- That a process of professional accreditation be developed in partnership with all stakeholders and that the processes should respect the expectations for the mainstream community and the privacy/ confidentiality of sex industry workers taking part.
- That the professional accreditation processes be made language accessible for non English speaking workers and as low cost and low barrier as possible so all sex industry workers including street level sex workers could benefit from the knowledge gained through accreditation.
- That professional accreditation be required for all employees in a sex industry business including support staff such as managers, booking girls, drivers, waitresses and bouncers.
- That the City of Vancouver By-laws are revised to reflect the processes outlined in this report and respect the safety and inclusion of sex industry workers in a process involving all stakeholders as far as preferred licenses, rate balancing and the removal of clearly biased and illegal by laws excluding sex industry community members from mainstream society.
- More specifically, that the body rub license become the license of choice over health enhancement center. The term health enhancement center makes any prostitution occurring in the business illegal. The body rub parlour business license on the other hand seems to create a space where 2 consenting adults

can legally engage in prostitution as it is more of a “rooms for rent” business. Just as in a hotel, the room rented becomes a private space and just as in a hotel what happens behind closed doors is private.

It is hoped that this business license definition will allow police to maintain their commitment to the criminal code of Canada while allowing stability for sex industry businesses providing safe, health places to work.

- That a Sex Industry Review Board be created to hear complaints and scrutinize license applications
- That mechanisms to ensure accountability and unbiased treatment are created such as the community policing partnership car, policy and procedure manual revisions/additions and professional development materials for mainstream systems engaging the sex industry.
- That a system of penalties tied to professional accreditation is created
- That licensing not be required of individual workers or small collectives of 2 or 3 workers sharing a work space as has been proven successfully in New Zealand to impact the health and safety of those workers.
- That provisions are made to accommodate migrant or foreign workers and that all materials are language accessible for that group
- That while youth engaged in the sex industry may not be accredited until they reach the legal age to engage in the sex industry, that they be given access to the program materials as way to increase their health and safety and to connect them to resources

The greater community have long had to rely on rumours and biased data to form an opinion of working conditions in the sex industry. By creating an open and sex industry inclusive system of transparency and accountability, the greater community will have a clearer picture of the make up of, conditions within and safety of the sex industry.

Through this confidential, community based process it is hoped that businesses that go beyond what is reasonable (marketing youth, trafficking persons) can be more easily identified, targeted and prosecuted by the criminal justice system without causing widespread de-stabilization of the entire industry.

The goal is not to eliminate police or other mainstream mechanisms from these processes. Rather our goal is to allow police to use resources more effectively against and easily find and prosecute those people who engage in illegal sex industry activities and to increase numbers of sex industry workers accessing mainstream supports

## **Conclusion**

All parties were concerned about the confidentiality of sex industry licensee program participants. The BCCEC recommend being extremely careful throughout the development of procedures, to protect confidentiality if sex industry workers are to feel safe in taking part.

Lastly, the ideas and processes outlined in this report are in a very draft and incomplete form. BCCEC members want to be clear that each individual aspect of these plans must be developed and scrutinized by all stakeholders in detail if we are to reach common ground and common purpose in finding ways to increase the health and safety of ALL community members.

Our hope is that the draft materials and rational described here can be a starting point for a change in policy, to move away from punishment and towards protection and to find creative ways to work together, with in the current legal framework and with the health and safety of sex industry workers at the forefront.

**Appendix One**  
**British Columbia Coalition of Experiential Women and Communities**  
***Cease and Desist***  
**Response to City of Vancouver By-Law Review**  
**2007**

The British Columbia Coalition of Experiential Women and Communities (BCCEW/C) is a consortium of sex worker activists who work to eliminate the oppressive systems and forces that create harm for individuals in the sex industry. We operate under the principle that members commit to creating an environment of inclusion.

We support diverse perspectives and experiences except where they contribute to harm of sex workers. The BCCEW/C does not support enforcement or rehabilitation models that either promote the continued criminalization of sex workers or sex worker dependency on social programs. (For further information on the Coalition, please see Appendix A)

**Introduction**

The following B.C. Coalition of Experiential Women and Communities (BCCEW/C) submission provides a series of recommendations intended to revise the City of Vancouver's by-laws that license and regulate businesses where sex workers, and other workers, have traditionally been employed. The suggested revisions are provided in the interest of stabilizing the local sex industry, including relevant aspects of the health enhancement sector, while increasing the health and safety of both sex workers and the communities where sex work takes place.

The BCCEW/C offers these recommendations in the spirit of its Guiding Principles which compel the Coalition to work to open dialogue aimed at the reduction of harm to sex workers and the elimination of the social, economic, and political conditions that lead to the survival sex trade, sexual slavery and trafficking in persons. We note that the City's "health by law" (By-law No.6580) provides for the promotion and protection of the health of the inhabitants of the City of Vancouver. We respectfully ask that City Council keep the spirit of this by-law in mind while deciding on the proposed revisions.

**City of Vancouver By-laws Associated with Sex Work Industry**

The following reviews City of Vancouver by-laws commonly associated with the sex work industry on a section by section basis to provide suggestions for revision based on the BCCEW/C efforts to improve safety and working conditions of Vancouver sex workers.

**1. Social Escort Service - By-laws 6373 and 6466**

**Current License Fees**

Social escort service: New license: \$1043, Renewal: \$993  
Social escort: New license: \$183, Renewal: \$133

**Proposed BCCEW/C Revision**

**Social escort license fee:** The individual social escort license application currently requires that the applicant name the agency where they intend to work. If an individual wishes to work independent of an escort agency, they must acquire a license to operate a social escort service as well as a social escort license. They must also be located in an office where they are required to remain while "at work" or while awaiting an outcall to a client's hotel or residence. Given these requirements, the cost of licensing and maintaining an office can amount to \$6000/year (assuming one can find a properly zoned, reasonably priced office with a landlord willing to rent). Costs of this nature provide a serious barrier to individuals who wish to be self-employed.

**Social escort service:** As it stands now, agencies hold too much control over where and when a worker can work. In some cases, individuals who have applied for a social escort license have found that their licenses, once approved, have been sent to the agency where the worker is to be employed. While this may be done in an effort to maintain the worker's privacy, it is often the case that agencies refuse to return the license to the worker in a blatant attempt to control workers financially while also forcing them to work in an unsafe environment. Workers have even reported being "black listed" when an agency contacts other agencies with false accusations of theft, disease and addiction. Such situations leave a worker with few choices other than to either work illegally from home or work in the extremely dangerous street trade.

The above concerns could be resolved by reducing fees and allowing individual social escorts to work independently without the requirement to obtain two licenses and an office. Such changes would eliminate financial barriers while supporting a workers freedom to leave an unsafe work place and maintain their privacy. The power of negotiation and the choice of where to work would be returned to the individual worker. In summary, the Coalition urges the following:

- A reduction in license fees associated with social escort services to bring fees inline with fees charged to similar businesses (e.g. hair stylist: new license: \$160; renewal: \$110) Specifically:
  - Escort service license: New: \$254 Renewal: \$254
  - Social escort: New: \$160 Renewal: \$110
- That the requirement for a place of employment and a commercial office space or designated address be removed;
- That social escort licenses be the property of the escort and be issued to individual applicants rather than to an agency; and that
- Social escort licenses are available for pick up after processing through the licensing office.

**Sub-section (d)**

No person carrying on the business of a social escort shall offer the services or name of any person required to be licensed pursuant to this by-law unless that person is so licensed.

**Proposed BCCEW/C Revision**

The Coalition requests that caution be employed with regards to this section of the by-law due to our concern that the confidentiality of workers is at stake and that there are no guarantees from the City as to who has access to this information. We ask that a procedure for the protection of this information as well a procedure for justifying access to the information be developed in partnership with the sex worker community. In regards to this, we note that we are in the process of developing policy related to the health and safety certification of sex workers with one aspect of this policy related to privacy concerns.

**Sub-section (e)**

At all times during which the premises specified in the license application as the place of business for the Social escort service are open for business the operator or a licensee or employee shall be present on the premises.

**Proposed BCCEW/C Revision**

The Coalition requests that individual workers be exempt from this section in order to provide them with the freedom to engage in other activities while answering the phone and waiting for potential customers. Specifically, we suggest that the by-law be amended in the following spirit:

Any person operating as an independent social escort may operate from a computer, cell phone or home-based telephone. Independent social escorts are not required to either maintain or remain within a commercially-zoned location during operating hours.

**Sub-section (f)**

Every person carrying on the business of a social escort service shall maintain on the premises a list of all current employees and person's being handled on an agency basis; and, upon request, make such a list available to the Inspector or Chief Constable.

**Proposed BCCEW/C Revision**

In the past the police and licensing inspectors have been allowed unrestricted access to information about employees in escort agencies. We ask that access to this information be based on clear criteria developed in consultation with sex workers. Suggested criteria would include proof that disclosure of information about an individual is based on whether such information can be shown to be required to protect a worker's life and/or safety.

## **2. Criminal Record Check Requirement**

Although the reasons for criminal record checks are obvious, the Coalition's view is that convictions under criminal code sections related to prostitution (sections 211, 212, and 213) shouldn't automatically exclude sex workers from obtaining an escort license. This is especially so given that those with prior convictions are prevented from working in less harmful indoor venues leaving them with no choice other than to work in the far more hazardous street-based trade. We note here that obtaining a federal criminal pardon can take up to seven years and, in our experience, the Vancouver Police Department does not always choose to acknowledge such pardons.

### **Proposed BCCEW/C Revision**

The Coalition requests a community-based consultation on these issues and, ideally, some level of shared decision-making with regard to who is able to apply for and obtain a social escort service and/or individual license. In seeking this, we are in no way advocating a "carte blanche" approach to licensing but rather we seek an opportunity for controlled community-based vetting in situations where such an approach is warranted.

## **3. Steam Bath/Massage Parlor By-laws: 4782, 6038, 6646**

### **Licensing Fees**

Current fees: New license: \$272, Renewal: \$222

### **Proposed BCCEW/C Revision**

We request that the fees be lowered to bring them in line with fees required of other similar businesses (e.g. hair salon: New license: \$254, Renewal: \$204).

### **Sub-section (a)**

No person owning, keeping, maintaining, or operating any bath, steam bath or massage parlor shall allow or permit any person of the male sex to act therein as an attendant or employee in respect of any person customer or patron of the female sex; or allow or permit any person of the female sex to act as an attendant or employee in respect of any person, customer or patron of the male sex; nor shall any person owning, keeping, maintaining or operating bath, steam bath or massage parlor attend, treat or serve any person, customer or patron thereof of the opposite sex.

### **Proposed BCCEW/C Revision**

We ask that this section be removed as it is obsolete. Today, male and female masseuses routinely massage clients of the opposite sex.

### **Sub-section (b)**

Every person owning, keeping, maintaining or operating and bath, steam bath or massage parlor shall provide and keep therein a written and legible record in journal form of all person's using the facilities of said bath steam bath or massage parlor to record his or her name and address together with the date and time of registration in such register;

### **Proposed BCCEW/C Revision**

We request that these records be considered confidential unless proof of a threat to the life and/or safety of an individual is provided.

### **Sub-section (c)**

No person owning, keeping, maintaining or operating a steam bath shall allow persons of the opposite sex to occupy the same room or adjoining rooms with an inter-communicating door or which have doors opening into a common steam room. Provided, however, that a person may maintain a steam bath a family

room intended to be occupied and occupied by members of the same family, if such a room is closed off from the rest of the steam bath by a door.

**Proposed BCCEW/C Revision**

This section is obsolete and does not in any way reflect current business practices. It is also open to misuse by individuals who may feel a need to disrupt a business of which they do not approve.

**Sub-section (d)**

Every person owning, keeping, maintaining or operating a bath, steam bath or massage parlor shall ensure that the interior of the premises is at all times during business hours illuminated to a minimum of ten foot candles in every part thereof.

**Proposed BCCEW/C Revision**

This section should be revised to reflect current codes and language.

**4. Health Enhancement Centre By-laws 6830, 7052**

**Sub-section (a)**

The Inspector shall not issue a license for a health enhancement centre unless satisfied that the applicant for the license or an officer of the applicant demonstrates a knowledge and understanding of the art and practice of reflexology, Shiatsu, bio-kinesiology, hellework, polarity, reiki, rolfing, the trager approach, or any other therapeutic technique, and the Inspector may in that regard require the applicant or officer to take and pass an examination.

**Proposed BCCEW/C Revision**

While some services licensed under these by-laws do have the ability to require that staff enroll in training that leads to certification, due to the criminalized nature of sex work, sex workers do not have an option to acquire certification. At the same time, this is the business license that sex workers would most prefer to operate under (as long as no additional restrictions or increased enforcement occurs). Given this, the Coalition requests that the City consult with the community to develop an approach that addresses the issue of demonstrated knowledge/experience..

**Sub-section (b)**

All persons carrying on the business of a health enhancement centre shall ensure that all persons hired to administer a therapeutic touch technique are qualified in that respect and have not been convicted of an offence under sections 212 or 213 of the criminal code.

**Proposed BCCEW/C Revision**

This section prevents sex workers, including even those who have exited from the trade, from gaining access to employment in these types of businesses. It presents yet another example of how the most vulnerable sex workers are shamed and cast out of the larger community. We ask that this section be removed.

**Sub-section (d)**

No person carrying on the business of a health enhancement centre shall remain open or administer therapeutic touch technique between the hours of 12.00 midnight and 8 am.

**Proposed BCCEW/C Revision**

In the interests of supporting a safer trade, we ask that these hours be expanded so that those businesses who wish to can remain open on a 24 hour basis. Expanded hours could provide more opportunities for workers to find jobs in safer environments while diminishing the visible and unsafe street-level trade which dramatically increases after midnight as inside venues are forced to close. Such a change could also address community concerns around the visible side effects of the street trade.

**Sub-section (e)**

No person carrying on the business of a health enhancement center shall allow any employee or person on the premises to engage in or offer to engage in an act of prostitution.

**Proposed BCCEW/C Revision**

We ask that this section be removed. While making assumptions about the employees of these businesses, it makes room for such disastrous actions as the recent raids on “health enhancement centers” where police, armed with cameras, stormed into and, ultimately, closed some of these businesses further diminishing the number of safer indoor job opportunities for sex workers.

**5. Body Rub Parlor/ Body Painting Studio/ Model Studio**

**Current License Fees:** New license: \$8454 Renewal: \$8494

**Proposed BCCEW/C Revision**

These fees are extremely high. When the costs of renting space are factored in, the potential cost to business becomes completely outrageous. The Coalition requests that these fees be set at the same level as those set for other similar businesses (e.g. Health Enhancement Centers: New license-\$255, Renewal: \$205.)

**Sub-section (a)**

Every applicant for a license to operate a body rub parlor, body painting studio or model studio shall supply the Chief Constable and the Inspector with the name, address and sex of all persons employed by the applicant

**Proposed BCCEW/C Revision**

We request the removal of this section. We believe that it smacks of outdated notions of public morality prevalent in the early 1900’s. Additionally, the requirement to provide information on the basis of gender may be discriminatory. We ask again that a provision be made for proof of threat to life or safety before access to this information is granted.

**Sub-sections (d)**

(d) All rooms used for a body rub parlor, body painting studio or nude photography shall comply with the following;

- shall not be smaller than 2.4 meters by 2.4 meters
- shall not be equipped with any locking device other than a door providing an entrance there to,
- shall not have any means by which any person may view the interior thereof
- shall be equipped with lighting of at least 50 candle power which shall remain on when the door is closed.

**Proposed BCCEW/C Revision**

Section (d) provides the closest thing, in a business sense, to a private space where two consenting adults could engage in the legal exchange of sex for money. We request that this be the business license supported as the “license of choice” when the City issues business licenses and occupancy permits to these types of businesses.

**Sub-sections (e)**

No person carrying on the business of operating a body rub parlor, body painting studio or model studio shall permit any person to enter or remain thereon between the hours of 12.00 midnight and 8 am

**Proposed BCCEW/C Revision**

In the interests of supporting a safer trade and increasing employment for sex workers, we ask that these hours be expanded so that those businesses who wish to can remain open on a 24 hour basis.

**Sub-sections (f)**

No person carrying on the business of a body rub shall permit any person engaged in providing a body rub in the licensed premises to perform the same unless the person is wearing clean, washable non-transparent outer garments covering his or her body from the neck to the top of the knee, the sleeves of which do not reach below the elbows

**Proposed BCCEW/C Revision**

The Coalition sees no need for a dress code in this business and requests the removal of this excessive and invasive section. The section makes businesses and workers vulnerable to malicious persecution and can be used to shut down a business for what amounts to no reason at all.

**Sub-sections (g)**

No body rub parlor proprietor shall exhibit himself or herself nor permit other persons to exhibit themselves, in any window on or about the licensed premises or exhibit or permit to be exhibited any sign outside of the premises showing any nude male or female body, or any part thereof, nor any printed words that might indicate the licensed premises is a place that offers any form of nude or sexual entertainment.

**Proposed BCCEW/C Revision**

The Coalition notes that virtually every business in the corporate world publicly uses sexualized images, including images of partially and/or unclothed models of both sexes, in their advertising campaigns. We question why the sex trade industry should be treated any differently with respect to regulation. The following revision provides the City with protection from the more extreme visual display possibilities that could potentially draw public concern or censure. In as far as determining what is considered acceptable, we request that these issues be examined on a case by case basis in partnership with the Coalition. Revise as follows:

No body rub parlor proprietor shall exhibit themselves nor permit other persons to exhibit themselves, in any window on or about the licensed premises or permit to be exhibited any nude male or female body or exposed male or female genitals or breasts nor use crude or offensive printed language to describe the services offered inside.

**Sub-sections (h)**

No person carrying on the business of a body rub parlor shall practice or provide or permit the practice or provision therein of a therapeutic touch technique or advertise in any way that a therapeutic touch technique is available or being practiced on the premises.

**Proposed BCCEW/C Revision**

We note that supporting this definition as the “license of choice” provides a clear definition between therapeutic massage and “body rub” parlor thereby eliminating the confusion that arises around these two terms and allowing consumers clear options as far as legal and safe ways to access the industry.

**6. Governance of Clubs within the City of Vancouver By-Law 2647**

**Section 13**

It shall be unlawful for **the** manager of any Club within the City to knowingly suffer or permit any prostitute or person evil repute to enter or remain upon the club premises.

**Proposed BCCEW/C Revision**

This section reflects discriminatory attitudes about sex workers which greatly contributes to their stigmatization and marginalization. We ask that this section be removed.

7. **By-law 5156**

A by-law to prohibit the carrying on of sundry businesses, trades, professions and other occupations;

1. "nude encounters"- or synonymous word or phrase
2. "out call" body massage service
3. "erotic telephone call" service

**Proposed BCCEW/C Revision**

Since such businesses operate freely and openly in Vancouver, we request that this section be removed.

**Conclusion**

Under the Vancouver Charter, Section 202 (a), the City Council "may provide for social planning to be undertaken including research, analysis and coordination relating to social needs, social well-being, and social development in the City." The Coalition respectfully requests that Council consider the spirit of this section of the City's Charter when making its final decisions regarding the proposed revisions.

Draft 2010

# *Licensee Program Manual*

A self-study package for responsible operation  
as a sex industry business or worker in Vancouver.



*City of Vancouver – Draft 2010*  
*BC Coalition of Experiential Communities*  
*Susan Davis*



***The fatal effects of having no safety controls in the sex industry***

- Unethical business owners go unchecked
- Human trafficking goes unnoticed
- Youth are exploited
- Sex workers are forced to live in debt servitude
- Sex workers are assaulted and murdered

Businesses that are safe get targeted and closed forcing sex workers into the dangerous and disorderly street level sex industry or can also force sex industry workers to choose sex work they are uncomfortable with- ie exotic dancers forced to work as escorts.

Sex industry workers also face dangerous working conditions due to a lack of safety controls such as;

- No security person
- No security procedures
- Unclean work space
- Inaccurate information in regards to their health

This manual is intended to be used as a learning and teaching aid in the licensee “sex industry ethics” training program. The information contained within is intended to ensure all sex industry business owners, support staff and workers have the tools to make safe decisions about their business practices and work.

**Instructions**

This self study package consists of the following materials:

- This booklet entitled *Sex Industry Licensee Program Manual; A self study package for responsible operation as a sex industry business or worker.*
- Open book final exam ( registration form and exam answer sheet to be returned to *Sex Industry Licensee program* at the City of Vancouver License Office)

We suggest that you work through these materials as follows:

1. Carefully read the *Licensee Program Manual*. Key words, special fact boxes, and self quiz questions at the end of the manual will help you to prepare for the open book final exam.
2. Complete the self quiz at the back of this manual. This will assist you in preparing for the open book final exam.
3. Complete the open book final exam using the licensee program manual as reference material. Be sure to carefully follow instructions for recording your answers on the examination sheets provided. You must successfully pass the examination before you receive license certification.

**After completing the exam, be sure to sign the statement indicating that you have read the material and completed the exam on your own and in good faith.**

4. Return the open book final exam in person to *Sex Industry Licensee Program c/o City of Vancouver Licensing, 12<sup>th</sup> Ave.*

### **Open Book Final Exam Results**

Your results from the open book final exam and the exam itself will be returned to you. You will be notified when your results are ready and you can pick them up from the City of Vancouver Licensing desk. You will be required to present 2 pieces of identification including one picture ID. City Staff will photo copy your ID for city records.

These records are confidential and are not open for the public to view. The City of Vancouver requires proof of a threat to the life or safety of a person before access to this information is allowed and will ask you to sign a consent form stating this when you pick up your license.

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## 1. Responsible Sex Industry Business Practices

The sex industry licensee program is designed to encourage a responsible, caring, and professional approach by licensees and workers to the delivery of their services and treatment of each other. Developed by representatives of the sex industry, it provides critical information on health, safety and responsibility in the sex industry. Awareness of this information will help you develop a more positive environment for your staff and patrons, a professional image for your business, and increased community respect. Currently, many of the biases faced by the sex industry in the past are being scrutinized and reviewed. Many community members have concerns over activities in the sex industry and during conversations

including residents and businesses in areas affected by the street level trade, health authority, police and community policing, sex worker support agencies and sex workers, it was felt that while many people in the sex industry understood their responsibilities, a standard should be developed to ensure everyone had a common information base and worked to a common and high standard of responsibility when operating a business in or working in the sex industry.

The *Sex Industry Licensee Program* was conceived and developed in 2010 by City of Vancouver Staff, police, health authority, sex industry workers and sex industry support services, as well as through a review of other experiences gained from other programs throughout the world.

The sex industry requested that the program be mandatory to help develop a standard base of knowledge when hiring employees, and to ensure an ongoing application of the program in all sex industry businesses.

### ***The Sex Industry***

The sex industry has existed all throughout human history as far back as the oldest piece of writing on the planet “the Whore of Babylon” story. The responsibility for safety as well as for abuse is a shared one in society.

View points concerning the sex industry have shifted back in accordance with societies values. Earlier in the 20<sup>th</sup> century a religious morale movement hoisted prohibition as the answer to society’s ills and has since shown itself as a failed experiment. Over the ensuing decades, the sex industry has been driven further and further underground. In recent history however, the sex worker rights movement has seen a shift towards more moderate and inclusive attitudes towards safety in the sex industry. Control and monitoring of activities in the sex industry is favoured now more than prohibition or as it is known, abolition of sex work.

Responsibility for control within and the safety of the sex industry falls on licensees (business owners including independent operators) and their staff. They are the people making a permanent living providing enjoyment and pleasure to others. Licensees are people whose livelihoods are subject to the trends of the times. It is not an easy position to occupy. However, the fact is licensees and their staff work at one of the few points where the sex industry can be truly attempted to be controlled.

The growing movement supporting sex workers rights in North America reflects societies concerns about safety in the sex industry. The sex industry, governments and the general public are, in their various ways, trying to reassert control over safety in the sex industry. Sex Industry workers, business owners and support staff all have an important role to play in this cooperative effort.

The public is frustrated by issues of public disorder and decreased safety resulting from the street level sex industry. Sex industry workers are frustrated by the lack of job opportunities and ethical employers in the sex industry.

All sides agree that the violence experienced by sex workers, whether in the form of human trafficking or assault and murder, is unacceptable. As a result, government bodies are looking at ways to place responsibility for safety and ethics in the sex industry on business owners, support staff and sex industry workers themselves.

Fairly or unfairly, those who operate sex industry businesses or work within the industry are seen as part of the problem. With the help of responsible sex industry business practices, you are invited to become part of the solution!

In practical terms, what part do you want to play? How can you modify your operations to better serve public interests as well as your own?

There are four major ways;

- 1. Understand your rights and responsibilities under the laws governing the sex industry.**

2. **Adjust or reaffirm your house policies to ensure you and your staff can carry out your legal responsibilities.**
3. **Ensure all managers and employees are given the tools to make safe decisions about their work and access to resources should they need them.**
4. **Understand the general principles mainstream society expects you to uphold to be considered responsible and the legal repercussions of falling outside of them.**

It should be noted that a licensed establishment is a place where the sale of sex industry services is controlled; therefore it is up to the licensee or employee to be aware of the following;

- Criminal code provisions related to the sex industry
- Criminal code provisions related to youth exploitation and human trafficking
- Ways of preventing exploitation of any person in the sex industry
- Ways of ensuring the safety of employees
- As a licensee or employee, your rights and responsibilities in regard to safety in the sex industry

This program is not intended to be a substitute for years of experience in the sex industry. It has been developed to assist licensees and employees to become more aware of their legal responsibilities with regard to responsible participation in the sex industry, to ensure they have access to resources, understand the newly designed processes for their protection and to reinforce their knowledge of the industry.

**City of Vancouver By-law (XXX.0) makes completion of this training mandatory for licensees (including independent workers), managers, and employees (inclusive of waitresses, bouncers, dj's, booking girls, drivers, etc)**

**The responsibility of ensuring compliance and practice of the responsible sex industry practices program is with the licensees, and should licensees not comply, they will be placing their licensing privileges in jeopardy. Where non-compliance by the licensee or any staff member is found, enforcement action will be directed at the sex industry licensing privileges.**

**This includes but is not limited to the exotic dancing industry, health enhancement industry, escort industry, adult film industry, bdsm/ fetish industry and web cam industry.**

***Saying “it’s not my business”,  
is no excuse. When people are  
exploited in the sex industry,***

# The Sex Industry

The sex industry is often referred to as the adult entertainment industry. Although many disciplines could be argued to be “sex industry,” most people think of street-based sex workers, exotic dancers, phone sex operators, dominatrices, adult film stars, and escorts, when they think of the sex industry.

Sex industry workers are people (including male, female, and transgendered) who provide a sexual service -- be it fantasy or reality -- for money.

For the purposes of this manual, we use the term “sex industry workers,” “sex workers”, and “adult entertainers” interchangeably.

## 2. City of Vancouver Licensing Policies and Procedures

The City of Vancouver are working towards practical ways of making the sex industry safer for its participants and ensuring that human trafficking and the exploitation of youth are eliminated.

In order to achieve this goal, the by-laws governing the sex industry in the city have been revised and new licensing procedures have been created as follows;

### Control through identification

- All sex industry licensees must present 2 pieces of government issued ID, one picture. These will be photo copied and held confidentially in the licensees file as proof of legal age to engage in the sex industry. Access to this private information will be strictly limited and access only granted if a threat to the life or safety of a person can be proven.
- The license and professional accreditation are the property of the person it is issued to and is not transferable.
- The license may or may not display the licensee’s name. For the sake of the privacy of individual license holders, the licensee may use a pseudonym or “work name” to appear on the license.
- A grace period of 4 weeks will be allowed for workers and licensees to comply and submit their application to the City of Vancouver for scrutiny. All sex industry licensees must have submitted their application by the time the 4 weeks has passed and are allowed to continue to work during that time and until their application has been in front of the committee for approval.

### Control through prevention

- All sex industry business owners, sex industry workers, and sex industry support staff must undergo a criminal record check in order to qualify for their license. This information will be held confidential by the City of Vancouver unless it is proven a threat to the life or safety of a person.
- The criminal records check will not be a sole determining factor in license approval. Charges or records will be examined on a case by case basis and are generally intended to prevent convicted rapists, child molesters, traffickers and pimps from engaging in or being employed by sex industry businesses or workers.
- All sex industry business owners, sex industry workers, and sex industry support staff must take part in the *Sex Industry Licensee Program* in order to qualify for a license in order to ensure all licensees have the tools to make safe decisions about their work and more importantly, access to resources. The program fee is \$10.

## Control through intervention

A Sex Industry Review Committee will scrutinize individual licensee's activities on a case by case basis. The committee will work to ensure compliance by all sex industry licensees in the City of Vancouver and the elimination of human trafficking and the exploitation of youth or any person.

- All license applications and renewal applications will be scrutinized by committee. The committee membership will include City of Vancouver staff, Vancouver Police, Vancouver Coastal Health and a sex industry representative to ensure a balanced and inclusive process.
- All complaints in regard to unethical sex industry activities will be reviewed by the committee. Decisions of the committee will be held in the file of the licensee.
- All complaints will be held in the licensees file and licensees will have a chance to answer any complaints against them.
- Complaints of a criminal nature will be investigated by police.
- Penalties for breach of Professional Conduct will be decided by the committee and can range from a fine to a suspension of license and accreditation or even a permanent ban from doing business in the sex industry in Vancouver. These penalties shall also be stored in the licensees file.
- The contents of a licensees file as described above will be considered by the committee during the license renewal process and may affect the renewal application outcome.

## 3. Managing your Duty of Care

All sex industry licensees and staff are responsible for understanding the laws surrounding the sex industry. Exploitation of youth or any person is illegal and in the case of an exploited youth, it is illegal NOT to report it.

After reading the Rights and Responsibilities Section you should have a clear understanding of what is acceptable activity in the Sex Industry. We all have a responsibility to ensure safety in our industry and a right to accurate information about our work and its risks.

## 4. Rights and Responsibilities

All of the sections of this chapter except were donated by Pivot Legal Society. After reading this section you will have a clear understanding of the laws surrounding the sex industry and the ways in which the criminal justice system interpret or apply them;

### **The Law and Sex Work**

#### **S. 210 and 211 "The Bawdy-house Provisions"**

This section of the Criminal Code makes it illegal for anyone to run a bawdy-house, work in a bawdy-house, be found in a bawdy-house or allow someone else to run a bawdy-house.

A bawdy-house\* is defined as anyplace used 'for the purpose of prostitution or the practice of acts of indecency.' This means a brothel or any place used regularly by one or more people, including a hotel room, your home or even the same parking lot.

'For the purpose of prostitution' can mean doing anything with the intention of turning on or offering sex to a client in exchange for money. Offering sex includes saying you will do something sexual, saying you

have sex with other clients, or touching yourself in a sexual manner.

Often police will go undercover posing as clients using different officers on different days to show a bawdy-house exists, or they will observe people coming or going from a certain location regularly.

### **Keeping a common bawdy house:**

If police obtain a warrant\* and enter a location on suspicion of it being a bawdy-house, they can arrest anyone who is inside. Those considered to be the ‘managers’ or owners of in-call services can be charged with ‘keeping a common bawdy-house,’ S. 210(1). This person does not have to own or rent the space. It is enough to have ads, a land phone line, or keys to the place. This is an indictable offence\*, meaning a conviction can lead to imprisonment for up to two years, though most people receive a fine.

As bawdy-houses are businesses and make money, running one can be considered an ‘enterprise crime\*,’ meaning any money earned and anything bought with that money could be considered ‘proceeds of crime\*.’ You could be charged with ‘possession of the proceeds of crime’ and all of these items could be seized unless you can prove you bought them with money you earned legally.

### **Inmate of a common bawdy house:**

People found living or working in a bawdy-house can be charged with being an ‘inmate of a common bawdy house,’ S. 210(2)(a). People visiting a bawdy-house can be charged with ‘being found, without lawful excuse, in a common bawdy-house,’ S. 210(2)(a). This is also a summary offence\* and is often used to prosecute clients, as well as receptionists and maids.

Knowingly permitting the premises to be used as a common bawdy-house:

If you own or rent a property and allow it to be used as a bawdy-house you can be charged with ‘knowingly permitting the premises to be used as a common bawdy-house,’ S. 210(2)(c).

The offences of being an inmate of a bawdy-house, being found in a bawdy house without lawful excuse, and knowingly permitting the premises to be used as a bawdy-house are summary offences that can lead to a sentence of up to 6 months in prison or a fine up to \$2000.

If you work regularly out of your rented apartment or home and your landlord finds out, you are likely to be evicted as landlords can be charged under S. 210(2)(c). Landlords are allowed to evict tenants if they become aware that illegal activities are taking place on the property.

**S. 211 makes it illegal to take someone, or offer to take someone, to a place that you know is a bawdy-house or to even tell someone where a bawdy-house is.**

### **S. 212 “The Procuring Provisions and Living off the Avails”**

This section of the Criminal Code addresses procuring\* and makes it illegal for anyone to introduce or influence another person into sex work. It also makes it illegal to take a fee for referring someone to another sex worker or for providing protection. It is also illegal to hide a person in or take a person to bawdy-house, or to give a person drugs or alcohol to induce them to engage in sex work.

Finally, this section makes it illegal to ‘live on the avails of prostitution,’ meaning if you support a partner, adult child, friend or even in some cases a roommate, in part or in full, they could be charged with this offence. Previous cases have attempted to restrict prosecution under this provision to ‘parasitic relationships’ but it could still affect anyone supported by a sex worker.

Procuring is an indictable offence, meaning you can be sentenced for up to 10 years, or possibly longer if the sex worker or the person being “procured” is under 18 years of age.

### **S. 213 “The Communicating Provisions”**

This section of the Criminal Code makes it illegal for anyone who is in a public place, a place open to the

public, or a place in public view, from ‘communicating, or attempting to communicate, to any person in any manner, for the purpose of prostitution.’ This includes stopping a vehicle or person on the street.

A ‘public place\*’ is defined as anywhere the public has access to or where someone can or might be able to see you. Even a private place can be considered public if you can be seen through an open door or an uncovered window. Cars, hotel lobbies, bars, the street are all considered public places. Pay phone or cell phone conversations where other people can hear you could be considered communicating in public.

Communicating is a summary conviction offence resulting in up to a \$2000 fine and/or 6 months in jail. If charged you should get an appearance notice\* and be let go, unless you have no ID with you, have outstanding charges\*, or have breached bail or some other court order.

### **Working safely and legally?**

You can’t be charged with ‘communicating’ if you are not discussing prices and services in a public place. If negotiation occurs in a hotel room or anywhere that is not a public place, you cannot be charged with communicating. If you set a date up by phone from your home with a regular client, you won’t be charged with communicating.

Saying that you only charge for a period of time, instead of for a specific service, will not prevent being charged/ found guilty of communicating, especially if you are found on a known stroll. Cell phone conversations occurring in public and pay phones are considered “public.” You can be charged with communicating for negotiating over the phone. If setting up appointments, it is better to use a home phone or cell phone in a private place, such as at home.

Adults exchanging sex for money is not illegal in Canada. Going to see a client at his home or a hotel room is not illegal. If this client regularly has sex workers over to the same place though, you both could be charged under the bawdy-house provisions if you are found there, though this rarely happens.

Often, undercover police officers pose as clients in order to arrest sex workers for communicating. You can be charged even if the police officer tells you they are not a cop, shows you identification and even if he sexually touches himself or you.

Entrapment\* is a legal term used in the United States, meaning being tricked into committing a crime by the police. This defense can only be used in Canada if a police officer behaves in a manner that forces you to do something you would never have done under normal circumstances.

### **The Law and BDSM and Fetish Work**

See the above section, The Law and Sex Work, for an introduction to the Criminal Code provisions related to prostitution and bawdy-houses.

Dungeons\* or other venues can be considered bawdy-houses if the sale of sexual services or regular indecent acts occur there.

The definition of ‘indecent act\*’ is not exact and is decided in court based on community standards of tolerance\*, or what the community would find it acceptable for other members of the community to do or see. The Courts take into account the possible harmfulness or anti-social behaviour that could result from viewing or participating in the act, as well as the circumstances.

### **The Law and Performers**

#### **Section 173 “Indecent Acts”**

This section makes it illegal to willfully do an indecent act in a public place if there is one or more person there, or in any place if your intent is to insult or offend another person. This is a summary offence.

The courts have ruled that masturbating in a public place and sexual touching (mutual masturbation)

between a dancer and client are indecent acts. In contrast, swingers clubs were determined not to be indecent as they took place in private venues and involved consenting adults. As well, lap dances are allowed in most areas as long as it does not involve sexual touching. Most cities, as well as most clubs have their own rules or by-laws.

In Vancouver, all clubs with exotic dance performances must be licensed under the **Liquor Control and Licensing Act**. This act defines three types of performers that it regulates: strippers\*, which are defined as entertainers who take their clothes off during a performance; exotic dancers\*, entertainers who do not necessarily take their clothes off during a performance, and adult-oriented performers\*, defined as entertainers who perform adult dramatic, artistic or other types of adult-oriented activities.

In Vancouver, bars with such performances can't be open between 2am and 8am. These regulations say that there cannot be any live, realistic or simulated sex acts or any acts that involve simulated or real coercion or violence. Performances cannot involve inserting an object or removing an object from a performer's vagina or anus and there cannot be urinating or defecating as part of an act. Performers are not allowed to use animals in their acts. No one under 19 years of age can perform in a strip club, nor can anyone under 19 watch a stripping performance. Performers are not allowed to deliberately involve patrons in adult-oriented performances or activities.

Performers are not allowed to touch or share food or beverages with other performers or with the audience during their act. In fact, it is prohibited for performers to drink any alcohol before, during or in between acts, though having a drink after is allowed. Entertainers must stay on stage or in an area separate from the general seating area during their performances and cannot dance on table tops.

Finally, it is prohibited for objects to be passed between performers and the audience. The exception to this rule is that exotic dancers may accept tips and pass out promotional materials as long as there is no physical (skin-to-skin) contact between the dancer and other performers or audience members.

Private dances are legal in Canada, although if they involve sexual acts (in public or in private rooms) or sexual touching, you or your employer can be subject to the Criminal Code provisions around prostitution. Many clubs have their own rules around whether contact is allowed or not and in what areas private dances may occur.

### **Section 167 “Immoral theatrical performance”**

This section prohibits anyone from organizing or managing a theatre that allows an “immoral, indecent or obscene performance, entertainment or representation” as well as making it illegal to act, perform or assist in such a performance. Nudity alone does not make a performance immoral. Performers are most often charged under this section or S. 173 prohibiting indecent acts in public, though caution should be used in private rooms as the ‘bawdy-house provisions’ still apply. Strip clubs are considered public places as anyone can enter them, vs. private clubs, which are only open to members or parties where guests are invited, such as a stag.

#### **The Law and HIV Disclosure**

The law around criminalization\* of HIV disclosure\* (telling a sexual partner your HIV+ status) is not clear and is constantly changing as new cases go to court. As such, it is extremely difficult to know how the law might be applied in individual circumstances, especially those experienced by sex workers.

What is clear is that if an individual knows their HIV+ status and engages in unprotected sexual intercourse\* without disclosing their status to their partner, or if they lied about their status, that person can be criminally charged, though the charges depend on the facts. This person could be charged with:

### **Section 219 “Criminal Negligence”**

If a person causes their partner bodily harm by actually transmitting the HIV virus to their sexual partner, they can be charged with criminal negligence.

### **Section 180 “Criminal Nuisance”**

If the lives, safety, or health of the public is endangered, this charge could be laid. One does not need to actually cause harm for the offence to be committed as long as the risk was “significant”. (The definition of “significant risk” is interpreted by the court.)

### **Section 265(3)(c) and Section 273 “Aggravated (Sexual) Assault”**

Aggravated assault is committed when the failure to disclose one’s HIV+ status or lying about one’s HIV+ status is viewed as fraud, which vitiates, or cancels, consent to sexual act. This means that if the person had known their partner’s HIV+ status, they would not have consented. Without consent, the sexual act is considered assault. An assault is aggravated when the individual wounds, maims, disfigures or endangers the life of the complainant. Like criminal nuisance, aggravated assault does not need to actually cause harm but merely requires that the life of the complainant be at risk.

### **Section 231 “(First Degree) Murder”**

If the individual’s sexual partner dies from HIV-related health reasons, a murder charge could be laid. A first-degree murder conviction is determined if the individual had planned and deliberately exposed their sexual partner to the HIV virus without disclosing their status, or by lying, or if the individual caused death while committing an offence of aggravated sexual assault (among other offences.)

For a murder conviction, evidence is required to show that the accused had caused the deceased’s death by infecting him/her with HIV during sex and that the accused was aware of his/her HIV+ status and was aware of his/her duty to disclose. Evidence must also show that the accused meant to cause the deceased’s death or meant to cause them bodily harm that he/she was likely to cause their deaths and was reckless if their death ensued or not.

**Note:** At this moment in time, the laws are inconclusive on first-degree murder convictions for failing to disclose one’s HIV+ status. The decision was made by a jury this spring (2009) and the appeal has yet to be heard and decided upon.

### **Section 24 “Attempted Murder”**

If the sexual partner of the individual who failed to disclose his/her HIV+ status has not died from HIV/ AIDS-related health reasons but had their life endangered through the exposure, there can be a charge of attempted murder. Attempts of any offences are committed when the accused has the intent to cause harm, even if the offence was not completed.

You have a legal duty to disclose your HIV+ status:

- In the context of unprotected vaginal sex or anal sex
- When the complainant would experience a delay in discovering his/her HIV infected status if the individual does not disclose
- If a woman is pregnant she has a legal duty to disclose to her medical team her HIV+ status. They need to be aware that the newborn will require HIV antiretroviral medication to reduce the risk of HIV transmission at birth and through breast-feeding.

The laws around disclosure are still unclear:

- In the context of vaginal or anal sexual intercourse with a condom. However, in one case, the judge stated that even with a condom, if the viral load is detectable, the risk is significant and it is aggravated sexual assault.
- If an HIV+ individual exposes their sexual partner who is also HIV+ to a risk of re-infection, and if this could significantly harm the person’s health.
- In the context of drug-injecting partners sharing needles and other equipment with each other.

In short, there is a legal duty under the criminal law to disclose one’s HIV+ status when there is any ‘significant risk’ of exposure.

## **The Law and Escort Work**

Being an escort\* is legal in Canada. Independent outcall escort or sex work where you visit a person's hotel room or home is legal. If sex work is involved, communications must be made in private, in a hotel room or a home, so as not to be caught by the 'communicating' provision.

Third party involvement in this arrangement is illegal as it can be considered procuring, living off the avails, or if the same location is used repeatedly it could be considered a bawdy-house. Agencies often instruct their employees not to discuss prices with clients as the agency could be charged with 'living off the avails.'

Often agencies tell clients that they are paying for the companionship or time spent with the escort, not the services, or will require an employee to sign a statement saying they will not offer sexual services and that anything else that happens is separate from the agency. However, the agency could still be charged as they thought it was likely to occur.

## **Employment Standards / WCB**

### WORKERS COMPENSATION, EMPLOYMENT STANDARDS and SEX WORK

The Workers Compensation Act\* benefits all employers, as employers, and all workers in British Columbia. It protects employees who are injured at work or in the course of work or who contract an occupational disease\*. The Employment Standards Act\* of British Columbia regulates practices around hiring, working conditions, wages, hours, vacations, and termination, among other things and aims to protect employees from exploitation.

All employees working legally in BC are protected meaning that sex workers employed in health enhancement centres, massage parlours, steam baths, body rubs or escort services should have access to the protections of this legislation. Exotic dancers, strippers and other performers, as well as phone sex operators also should be covered.

If you are an escort or other indoor sex worker and are sexually harassed by your employer, for example, you can file a complaint. If you work independently, you can apply for individual protection and pay monthly for worker's compensation to protect you in case of injury.

As an employee-employer relationship with a sex worker is illegal and is considered procuring, 'pimping' or falls under the bawdy-house provisions, any sex related injuries, diseases or incidents are not covered, as only the legal aspects of your employment are protected.

## **Human Trafficking**

Citizenship and Immigration Canada\* helps victims of trafficking\* by securing their immigration status with a special Temporary Resident Permit (TRP)\*. A TRP gives legal immigration status in Canada and may be issued for up to 180 days and can be re-issued depending on the person's situation.

Victims of trafficking who receive a TRP are eligible for healthcare benefits and trauma counseling and may also apply for a work permit. Victims of trafficking are not required to testify against their trafficker to gain temporary or permanent residential status.

There is no fee for the initial TRP or a work permit for victims of trafficking. For more information on Citizenship and Immigration Canada (CIC) [www.cic.gc.ca](http://www.cic.gc.ca) or call CIC toll-free at 1-888-242-2100 (only within Canada) to find the closest CIC office.

## **Consent and the Law**

Consent is required in order to engage legally in any sexual act with another person. Consent laws have changed recently in regard to minors. The current 'age of consent' laws state that if you are under the age of 16 it is illegal to have sex with an adult.

There is a 'close-in-age' exemption which means that 14 and 15 year olds can have sex with someone who is less than 5 years older than them. If an individual is 5 or more years older than the 14 or 15 year old, consent can be allowed if the two are common-law partners or have been living in a conjugal relationship for a period of less than one year, and they had or are expecting to have a child as a result of the relationship. In addition, a person aged 12 or 13 can have sex with someone who is less than 2 years older than them as long as the relationship isn't exploitative.

If you are under the age of 12 you cannot legally consent to sex and no person aged 12 or 13 years old will be charged with an offence of sexual interference, invitation to sexual touching or exposure unless there is a relationship of trust or authority with the complainant.

If you are under the age of 18, you can't consent to anal sex, unless you are married, although unless there is a complaint made by one party, charges are unlikely.

There are special provisions in the Criminal Code which make it illegal to have sex in exchange for money (or other goods or services) if you are under 18, even if both people are under 18.

In all situations it is prohibited for someone in a position of trust or authority to have sex with a minor, or for sexual exploitation of a minor to occur.

### **Section 151 "Sexual Interference"**

This section states that if one person is under 16, and the other is an adult, it is illegal for the adult to touch the minor in any way that could be considered sexual. This is a hybrid offence, so it could be treated as a summary\* or indictable offence\* depending on the seriousness of the incident.

### **Section 152 "Invitation to Sexual Touching"**

This section prohibits an adult from asking for someone under 16 to touch anyone, including themselves, in a sexual way. This is also a hybrid offence.

Other Criminal Code provisions that could apply include s. 153(1) Sexual exploitation, s.160(3) Bestiality in presence of or by child or ss.173(2), 271, 272, 273 indecent exposure.

There is no defence of mistake of age. That means that it is not a defence to say that you thought that the other person was 16 years of age or older, unless you took all reasonable steps to find out how old the person really was. What 'reasonable steps' means is determined by the court.

Wilful blindness\* (not asking a question because you'd rather not know the answer, for example, not asking someone's age when they look quite young because you do not want to know if they are underage) or recklessness\* (knowing there is a risk the other person is not consenting but continuing anyways) or self-induced intoxication\* (getting very drunk) are not defences.

### **"Bad Date" Reporting**

Unfortunately most sex workers do not report bad dates to police for various reasons. They may fear being criminalized or arrested themselves, may not want to go through the court process, or may not want to have to describe in detail what happened.

There is no law to protect sex workers from being charged under the criminal laws if they want to report anything to police. Under the current law sex workers can be arrested or later charged after identifying themselves as sex workers to police. It is hard to say exactly what happens when a bad date is reported to the police as it is rarely done and the police response varies widely.

In the Vancouver area, most bad dates have been reported to the MAP (Mobile Access Project) Van, a service that is run jointly by Women's Information Safe Haven drop-in centre (WISH) and the Prostitution Alternatives Counselling and Education Society (PACE) that travels nightly between 10:30 pm and 5:30 am to sex workers' strolls.

You can report bad dates online to WISH using this form <http://www.wish-vancouver.net/media/pdfs/BadDateReportingFormJuly08.pdf> or by phone at 604-669-9474. WISH then compiles the reports and distributes bad date sheets to the Vancouver community.

A bad date sheet\* usually contains the details of a violent incident in order to let other sex workers know who to watch out for. Reports usually include the place, date and time the incident occurred, as well as a description of the client and his vehicle. The sheets are printed and distributed through the MAP Van (when in service), WISH drop-in centre, PACE and other women's organization and the Vancouver Police.

### **Working Temporarily in Canada**

If foreign workers want to work in Canada, their employer may need to get a labour market opinion\* (which states that the employer can fill the job with a foreign worker) depending on the job. A work permit does not allow foreign workers to live in Canada permanently. Most people apply for work permits outside of Canada. See the Citizenship and Immigration Canada website at <http://www.cic.gc.ca/>.

If you want to come to Canada to work as an exotic/erotic dancer in a bar or club, you require a work permit and confirmation. These positions are categorized as 'performing artists,' and are now more difficult to get permits for as changes have been introduced to the Immigration and Refugee Protection Act to help protect vulnerable foreign workers who could become victims of exploitation. Immigration officers could then deny your permit if they think you might be vulnerable, trafficked into Canada, or exploited. See this site for more information

[http://www.hrsdc.gc.ca/eng/workplaceskills/foreign\\_workers/ed/edbulletins.html](http://www.hrsdc.gc.ca/eng/workplaceskills/foreign_workers/ed/edbulletins.html)

All temporary foreign workers employed as exotic dancers must sign an Employment Contract\* for a duration of no longer than one year. The contract contains:

- the wages, hours of work per day/week (a minimum of 30 hours/week is guaranteed, and foreign dancers are entitled to keep all their tips and gratuities)
- the duties of the job must be limited to stage and/or table dancing and cannot include ANY physical contact with club patrons (eg. lap dancing), nor private dancing, (here 'private' means not in plain view from the main stage, such as behind a curtain or in a secluded booth)
- the duty of the employer to assist in applying for provincial/territorial public health care insurance coverage,
- workplace safety insurance coverage (for which costs cannot be charged to the dancer)
- deductions payable as laid out in the law (eg. employment insurance, income tax, Canadian Pension Plan)
- two-way transportation costs from and to the dancer's home country to be covered by the employer
- any costs related to the recruitment of foreign exotic dancers must be covered by the employer and cannot be charged to the dancer.

See [http://www.hrsdc.gc.ca/eng/workplaceskills/foreign\\_workers/contracts-forms/contract-ed.shtml](http://www.hrsdc.gc.ca/eng/workplaceskills/foreign_workers/contracts-forms/contract-ed.shtml) for instruction sheet to accompany employment contract.

### **Human Rights Protections**

Human Rights\* legislation provides protection, procedures and remedies for those who have experienced discrimination and harassment. Discrimination\* is any differential treatment, whether in the form of harassment, unequal pay for the same or similar work, hate propaganda etc. It is when an individual, or group of people, have been singled out and treated negatively or differentially than others due to group

characteristics such as race, colour, religious belief or sexual orientation.

In Canada there is both federal (Canadian Human Rights Act\*) and provincial (British Columbia Human Rights Code\*) human rights legislation. The application depends on which level of government regulates a specific area. This means protection from discrimination and harassment in the public (not private) legal areas of our lives, including:

- employment (including recruitment, hiring, job assignment, termination, pay rates, conditions of work and termination)
- membership in trade unions and occupational, or professional associations
- services and facilities that are customarily available to the public
- purchase of property
- tenancy
- hate propaganda (including any publication or display of any notice, sign, symbol, emblem or other representation that is not private and is likely to expose a person or group to hatred or contempt)

Human rights claims can be made regarding employment that is legal in nature. Escort services, dating services, massage parlours, health enhancement centres and body-rub parlours are legal in nature and subject to city by-laws. Being employed by another person to engage in sex work is considered pimping, or “procuring,” as well as “living off the avails” and is illegal, therefore sex workers employed illegally are not protected by human rights legislation under the current law in Canada.

Under the **Canadian Human Rights Act**, the group characteristics that are protected from discrimination (ground of discrimination) are:

- race
- national or ethnic origin
- colour
- religion
- age
- sex (including sexual harassment, pregnancy discrimination and transgendered discrimination)
- sexual orientation
- marital status and family status
- disability
- conviction for an offence for which a pardon has been granted.

In BC, under our legislation the group characteristic that is protected depends on the area of protection. The protected areas are:

- employment
- public services & accommodation
- purchase of property
- tenancy

**In order to file a human rights complaint, there must be:**

1. adverse differential treatment, such as discrimination or harassment, taking place
2. a connection between this treatment and a protected ground of discrimination listed in the legislation
3. discrimination occurring in a public arena listed in the legislation

## **Sex Work and Contracts**

### **Employment Contract Basics**

A contract\* is a legally enforceable promise or agreement between two or more persons for the exchange of goods and services. There must be an intention to enter into a legally binding contract. There are no particular words or forms that must be filled out by the parties. What is required is an offer by one side and an acceptance of the offer by the other.

An employment contract does not have to be in writing. When the contract is written, there is no standardized form that makes it final. An employment contract can simply be a job offer letter that contains the key terms, which the employee accepts in writing.

A contract does not mean that employers cannot fire or lay off the employee or that employees are bound to stay at the job. The minimum length of notice required to terminate you is set out in the BC Employment Standards Act, but this time period can be extended in the contract, or if not specifically written into the contract, a court can determine how much notice is reasonable. The notice an employee is required to give before quitting can also be set out in the contract.

In order to create an employment contract, both written or verbal, the parties must mutually agree and consent to the terms and conditions of the contract. In addition, the contract must follow the minimum employment standards laid out in the Employment Standards Act as described below. This means that even if a term or condition is written in a contract, it might not be enforceable if it goes against the rules in the Act.

#### **A contract can include:**

- salary or wage and future increases
- payment details (weekly/monthly/biweekly)
- hours of work – requirement per week/month/shift
- starting time/quitting time/break time
- job title and scope of duties
- holiday entitlement
- sickness entitlement
- pension plan details
- termination of employment contract (notice period)
- post-employment obligations (confidentiality, non-solicitation etc.)

If one of the parties fails or refuses to fulfill its promise without a valid reason recognized by law, the party suffering the consequences of this breach of promise can take the other party to court for damages.

Contracts must follow statutory law such as the Criminal Code of Canada and the Employment Standards Act. This means that one cannot contract to hire a sex worker as this relationship is illegal. It also means that an employer cannot contract out of obligations under the Employment Standards Act.

#### **Termination by the employer**

“For cause\*.” The employer has the right to terminate the employment of an employee with just cause, which means a legitimate reason, without any compensation pay or notice\* to the employee. Employers must show that the employee has been spoken to about the behaviour forming the cause for termination and had given the employee an opportunity to correct the behaviour and was given a warning. Examples of ‘just cause’ may include:

- theft
- fraud or dishonesty
- breach of duty
- serious willful misconduct
- conflict of interest, especially if it involves provable loss to the employer
- serious breach of company rules or practices
- serious undermining of the corporate culture

- chronic absenteeism or tardiness (not showing up or always being late)
- unsatisfactory performance

“For reasonable notice:” If the employer ends the employment without cause, they must give the employee reasonable notice. This means telling them ahead of time that they won’t be working there anymore, so they have time to get another job. The minimum notice required can be written in the contract, or if it wasn’t in a contract, the Employment Standards Act of British Columbia lists what the minimum notice required is depending on how long you worked there. The court has interpreted ‘reasonable notice’ differently depending on the situation, including the type of job, the time worked there, the age of the employee and the availability of similar jobs.

No compensation is required if an employee is given advanced written notice of termination the correct number of weeks beforehand. It must be in writing. Notice or compensation is not required if:

- the employee has worked there for less than 3 months in a row
- the employee quits or retires
- the employee works on an on-call basis doing temporary assignments which she/he can reject
- the employee is employed for a definite term
- the employee is hired for specific work to be completed in 12 months or less
- it is impossible to perform the work because of some unforeseen event or circumstances
- the employee refuses reasonable alternative employment

### **Termination by the employee**

If the employee chooses to quit and end the employment, they must give minimum notice to the employer if stated in the contract. If it is not written in the contract, it is not required under the Employment Standards Act of British Columbia to give notice of the intention to quit, however, it is common practice to give your employer one or two weeks notice.

### **Minimum Standards – The Employment Standards Act and Regulations:**

This legislation ensures that employees in BC receive at least the basic standards of compensation and conditions of employment. This includes:

- minimum wage
- paydays - all employees must be paid at least twice a month and must be paid within 8 days after the end of the pay period
- meal breaks - no employee to work more than 5 consecutive hours without a meal break
- overtime wages - pay 1 ½ times the regular wage for time over 8 hours, unless an agreement has been made to work different average work hours
- entitlements to statutory holiday and pay
- leaves from work including pregnancy/parental leave, jury duty etc.
- annual vacation and pay - employer must give employee an annual vacation of at least 2 weeks after 12 months of employment and 3 weeks after 5 years of employment
- deduction from wages - an employer may only deduct wages as required or permitted by this Act or other legislation eg. income tax, CPP, EI
- termination of employment including rules about notice - an employer may terminate an employee if sufficient written notice or compensation in lieu of notice is provided
- severance pay - not required if employee quits, retires, or is terminated for just cause

### **Sex Work and the Internet**

The issue of sex work ads on the Internet has received a lot of media attention ever since the crackdown on Craigslist. There is increasing concern that sex workers and website hosts could face legal problems if they advertise sexual services online.

Given the current state of the law in Canada, it is hard say whether sex workers could face criminal charges for advertising on the Internet. There are two Criminal Code sections that could apply to certain types of online advertising.

For example, advertising prostitution services on the Internet may violate the communication law. As stated above, this section of the Criminal Code makes it illegal for anyone who is in a public place, a place open to the public, or a place in public view, from ‘communicating, or attempting to communicate, to any person in any manner, for the purpose of prostitution.’ A ‘public place’ is defined as anywhere the public has access. To our knowledge, no one in Canada has ever been charged with communicating for the purpose of prostitution as a result of advertising sexual services on the Internet. However, sex workers should be aware of this possibility.

It is also possible that a person could be charged with procuring if he/she was using the Internet to recruit sex workers to work for him/her, or if he/she was advertising sexual services of his/her employees.

Sex workers who are engaged in webcam work or the internet adult entertainment industry should also be aware of the laws relating to obscenity. Section 163 of the Criminal Code sets out the obscenity law. It says that it is against the law to make, print, publish, distribute, circulate, or possess for the purpose of publication, distribution or circulation any obscene written matter, picture, model, phonograph record or other thing.

It is also an offence to give an “immoral, indecent or obscene” theatrical performance. The central question is what does the law consider to be “obscene”? Section 163(8) of the Criminal Code says that “any publication a dominant characteristic of which is the undue exploitation of sex, or of sex and any one or more of the following subjects, namely, crime, horror, cruelty and violence, shall be deemed to be obscene.”

The Courts have attempted to differentiate between pornography that is not harmful to society (and is legal) and pornography that is harmful (and thus illegal). The Courts have said that they will look at a range of factors including the content and the method of publication and then will determine what is “undue” exploitation (illegal) by considering community standards.

The community standards test looks at what Canadians would not tolerate being exposed to themselves and what they would not tolerate other Canadian being exposed to. The test is a flexible one because community standards are ever changing.

Unfortunately the law does not provide a clear set of guidelines as to what is and what is not legal in the online adult industry. Anyone concerned about creating content that may not meet the community standard test of what is acceptable pornographic material should get legal advice.

## **5. Safe Sex**

Sexual services that involve contact between a worker and client, require workers take precautions to prevent STI transmission. STI’s are formerly known as “sexually transmitted diseases” or “STD”’s.

The proper use of condoms is the best way to protect against STI’s. Please take the time to review proper condom use to ensure maximum protection.

The following information comes directly from two sources: Stella [www.chezstella.org](http://www.chezstella.org) , and the BC Centre for Disease Control.

### **HIV**

Acquired immunodeficiency syndrome (AIDS) is characterized by a set of symptoms provoked by a virus that we call the human immunodeficiency virus (HIV), which attacks the immune system (the body’s natural defense system).

HIV can be transmitted through blood, sperm, pre-ejaculatory fluid, vaginal secretions, and breast milk. These biological fluids need to be infected by HIV, then enter into contact with an opening on the skin where it can reach a non-infected person's blood to make transmission possible.

The activities that put a person at risk for HIV are:

- vaginal or anal penetration without a condom;
- sharing dildos or sex toys without using condoms;
- sharing needles or injection materials (syringes, spoons, filters, etc);
- tattooing or body piercing equipment that is not sterilized.

HIV can be present in the body for years before it shows symptoms. These symptoms occur in various and general ways: fever, night sweats, major weight loss, persistent diarrhea, intense and inexplicable fatigue, cough, and skin rashes.

### **The Human Papilloma Virus (HPV)**

HPV is a widespread viral infection. In Canada, we estimate that between 20 and 40% of the sexually active population carries HPV.

There are different types of HPV. The most frequent is warts—highly contagious genital warts that are transmitted through direct contact.

Warts can also be transmitted by other body parts (fingers, mouth, etc.), or by sex toys that have been in contact with warts. Transmission can also take place through infected genital secretions (pre-ejaculatory liquid, sperm, vaginal secretions), even without penetration.

The shape, size, and colour of warts can vary: they can resemble little cauliflowers, a rooster's comb, small pimples, or flat lesions, with a head ranging from the size of a hairpin or a nut. They can be pink, red, or the same colour as the skin. Warts can be found at the head of the penis, the shaft of the penis, the testicles, on the inside or the outside of the vagina or anus, in the pubic area, or more rarely in the mouth and on the lips. They can cause an irritating sensation, itching or pain.

If you have symptoms similar to the ones listed here, it is essential that you see a doctor.

### **Herpes**

There are two different types of herpes that affect the mouth and the lips (cold sores); and the penis, the vagina, and the anus (genital herpes). Herpes creates lesions, small ulcers or sensitive wounds that are painful to the touch. The herpes virus is sexually transmitted through direct contact with a lesion through oral, vaginal, or anal sex. For example, during oral sex, a cold sore on the mouth can transmit the herpes virus to the penis. The reverse is also true: herpes on the penis can transmit to the lips of a person who is giving fellatio.

Herpes can also be transmitted if your fingers or hands have been in touch with a lesion and they then touch your partner's genitals, anus, or mouth. Even if there are no lesions, the risk still exists, because the herpes virus remains in the body for life. There are medications to reduce the intensity and time duration of symptoms of herpes, but they do not eliminate the virus in the body. It is essential to see a doctor if you have any of the herpes symptoms mentioned above.

### **Hepatitis A and B**

Hepatitis is a disease of the liver. Symptoms include yellow-coloured eyes and skin, diarrhea and dark urine, stomachaches, appetite loss, and headaches.

The Hepatitis A virus can be found in feces and can be transmitted through sex that involves licking the anus, penis, or a toy that has been in contact with the anus.

Hepatitis B is transmitted through sperm and vaginal secretions. Sexual activities that are most likely to

transmit Hepatitis B are the same as the ones that transmit HIV: vaginal or anal penetration without a condom and sharing dildos or sex toys. Hepatitis B is also transmitted through blood and saliva by sharing syringes, razors, toothbrushes, non-sterilized needles for tattooing and body piercing, etc.

### **Hepatitis A and B Vaccinations**

Hepatitis A: 2 vaccines, 6 months apart will make you immune. STI clinics offer this free for men who have sex with men, otherwise buy it at the travel clinic.

Hepatitis B: 3 vaccines at 0, 1 month, 6 months. People born after 1980 probably got this in Grade 6 or as babies. Other people can get it at STI clinics or travel clinic.

### **Hepatitis C Virus (HCV)**

HCV is a virus that attacks the liver, causing inflammation of the liver. Because the liver performs many important body functions, this can have a large effect on health and quality of life. HCV is passed by blood-to-blood contact, like sharing needles, tattoo equipment, razors or toothbrushes.

HCV is quite a hardy virus and can live outside the body (on a needle, razor, etc) for days. HCV is very common in injection drug users. There has been some sexual transmission of HCV, especially if sex involves blood (sex during menstrual period, rough sex, fisting).

People with HCV should use condoms. There has recently been a rise in HIV positive men who have sex with men getting HCV from rough sex or group sex.

Twenty-five percent of people who get HCV get rid of the virus on their own. There is a test to find out if this is what happened to your HCV. People with HCV should avoid alcohol, eat a balanced diet, and have regular monitoring with a doctor.

### **Syphilis**

This infection is transmitted through oral, vaginal and anal sex. Transmission of syphilis through oral sex is much more common than with HIV. Syphilis has various symptoms throughout its stages of development. These symptoms can easily go unnoticed. In the first stage, syphilis causes a painless ulcer that, for men, can be found on the head of the penis, on the shaft of the penis, the base of the penis, or the pubic area. Indeed, it can be found anywhere on the body of a man or a woman: anus, rectum, lips, vulva, vagina, tongue, tonsils or throat.

The symptoms go away on their own after a few weeks, even without treatment, but the infection continues to progress and the individual is still contagious. Undiagnosed and untreated, syphilis continues to evolve and can create severe complications that can result in infertility, dementia, and cardiac problems. Only a blood test can determine the presence of syphilis. Speak with your doctor. Syphilis is easily treated with antibiotics.

### **Gonorrhea and Chlamydia**

These STIs have the same method of transmission and present the same symptoms. Gonorrhea and chlamydia can be transmitted through oral sex or during vaginal and anal penetration. Gonorrhea is frequently transmitted through oral sex. Chlamydia does not have symptoms in 70% of infected people (7 out of 10 infected people).

Gonorrhea shows more symptoms in people (9 out of 10 infected people), but often it does not show symptoms if it is in the throat or the anus. When they do appear, the major symptoms are:

- green or yellowish discharge from the penis, usually accompanied by pain;
- burning sensation while urinating;

- pain around the testicles or swelling of the testicles.

Because a lot of people don't show symptoms and do not know that they are infected, it is recommended that you take regular tests for gonorrhoea and chlamydia. To take a test, consult your doctor. Do not forget to ask for a test in your throat and anus. These tests (specifically the tests in the urethra, the path from which both men urinate and ejaculate, and in anus test) can be unpleasant and uncomfortable. Left untreated, these infections can cause a lot of complications and infertility. Once discovered, they are easily treatable with antibiotics.

### **Risks of Bareback Blow Jobs and Deep French-kissing**

BBBJ: Syphilis, herpes, gonorrhoea, low but possible risk for HIV (especially if you have sores in the mouth, recent tooth brushing or flossing.)

Deep French-kissing: Herpes, Possible risk for syphilis.

### **Risks of Analingus and/or Anal Sex**

Person performing analingus can get Hepatitis A, or pick up bacteria that cause gastro-intestinal problems. Herpes and syphilis can also be transmitted to either partner this way. Use a barrier and wash well.

Anal sex is a risk for HIV, Herpes, Syphilis, Chlamydia, Gonorrhoea, HPV, and Hepatitis B. The person receiving (the bottom) in anal sex is at more risk for HIV. Use condoms.

### **Infections and How They're Spread**

Genital skin-to-skin contact: Herpes, HPV (the virus that can cause genital warts, or lead to cervical cancer), syphilis, gonorrhoea, chlamydia

Any body part skin-to-skin: Staph, crabs, scabies

Saliva: Not many STI's are spread by saliva. There is a very low risk of passing Hep B through saliva. It is a good idea for all sex workers to get vaccinated for Hep B. It also is possible that Herpes may be transmitted by saliva. Meningitis and Mono can be passed this way, as well as the common cold, flu, and strep-throat.

Semen and vaginal fluid: HIV, Hep B

Blood: HIV, Hepatitis B and C

Airborne: Tuberculosis, colds and flu.

For more information on STI's and HIV, condoms or for getting tested, the following clinics are very respectful and completely confidential if you feel you may like to be screened for or are showing symptoms of infectious diseases;

**BC Nurses Hotline- 811**

**Three Bridges Community Health Care Center**  
1292 Hornby Street, Vancouver, BC-604-736-9844

**Vancouver Coastal Health- 604.736.2033**  
Toll-free for residents outside of the Lower Mainland: 1.866.884.0888

## **6. Pimps and Traffickers**

If you are in a situation where you are being pimped in a way that is abusive, controlling or otherwise harming and want to leave your “man” or pimp family it can be difficult and dangerous.

You may have to return to work where you will be easily found, harassed or recaptured.

Pimps have been known to do all kinds of things to workers when they try to leave such as;

- Physical beatings
- Cutting or scaring a worker's face
- Cutting a worker's hair
- Holding them prisoner and bringing clients in for forced service
- Outing worker to family and friends
- Stealing worker's clothes and possessions
- Waiting until worker has made money and robbing the worker
- “Stripping”- capturing a worker and removing all their clothes and leaving them somewhere public to be humiliated.

You may be tempted to “choose” another pimp or pimp family when you need to leave an abusive situation. Chances are a new pimp will not help your situation and as a former rival you may be treated even worse as retribution. Also, if you “choose” too many times you will become known as “choosy” or a “choosy susie”.

Remember, you are a human being with rights. If you try to leave and your pimp or pimp family will not let you go, call the police. Abuse is illegal no matter who you are and forcible confinement is a very serious crime. The police will be able to file restraining orders and ensure criminal repercussions for anyone who harms you. You may experience some discrimination from police, especially in more remote areas where police services are unfamiliar with issues affecting sex workers' safety. Keep your head up and don't let them brush you off.

Street Code dictates that any involvement of police or outside authorities by an underground community member is “ratting” or being a “rat”.

Our code of honour is a result of criminalization and is important if we are to protect ourselves from enforcement action. ***In the case of abusive pimps or people who traffic in human beings, we here by state an exception to the “do not rat” rule.***

People who operate unethical sex industry businesses and pimps who make a living abusing and exploiting workers harm our entire industry. Any person who has been exploited or abused in this manner may and should involve law enforcement or outside authorities in order to protect themselves and the public image of our industry. Only when we have successfully removed all people who harm us will we be a truly stable industry.

If you are nervous about accessing police services, contact a sex worker support agency or social services worker and ask them to accompany you to file your report. Or ask a family member or friend you trust.

#### **How to leave or to help a worker leave a pimp or trafficker safely:**

- Call a local (or closest to your city) sex work organization to get referrals regarding shelter, food, and safe spaces and share that info with the affected worker. You could also invite support staff to come to your business and meet the worker on their next shift. Support staff could discretely intervene and begin making plans for safe escape.
- Create a safety plan.
- Do not tell anyone the plan, as they may rat you out.
- Instruct the worker to grab only what is essential, such as children, and to act as though they are just going shopping or something that is part of their regular routine. Then the worker should go to a sex worker (or other) organization that can help find a safe transition house.
- From the transition house, the worker can phone family or friends. If the worker wants to relocate to another city, the support workers at the safety transition house, or a sex worker organization can help them.

- Try to remove the pimp completely. Make sure all staff are aware of who exploitative people are to ensure they do not exploit you or another employee.

Remember that women can be pimps and traffickers. It's not just men, as most are stereotyped to be. And indoor sex workers can have abusive pimps or be trafficked too. There are all sorts of people that are abusive, and having a bad pimp or being trafficked are not limited to the streets.

## What if you witness Human Trafficking?

If you witness conditions in which you think a sex worker may be the victim of human trafficking, PLEASE REPORT IT!! Most Sex Industry workers are working by their own choice but want you to know we do not support the exploitation of youth or any person.

In the course of your work you may encounter other workers who appear to be in bad situations.

### How do I recognize human trafficking?

- The sex worker may seem reluctant or unwilling, under duress, visibly unhappy or of diminished capacity. Example- mentally challenged or obviously drug addicted.
- The sex worker may speak very little or no English
- The sex worker has multiple bruises on their body
- It seems the sex workers are living in the work space and a person seems to be guarding them or collects the money on their behalf.
- The sex industry worker may have an outside "security" person who seems to be more "watching" the worker than "protecting" or working for the worker.
- The trafficker openly assaults or abuses the worker in front to you, clients or other staff.
- The sex industry worker confides in you that they are exploited or wish to escape.

We all have a responsibility to try to combat human trafficking in the sex industry. Unless we can identify and prosecute exploiters, we will never see safety in the sex industry. Together we can erase this dark element that plagues us all.

Although a culture of mistrust has evolved between the sex industry and police as a result of criminalization, there must come a point where we as an industry demand equal treatment and the fair unbiased protection of law. More and more police services are moving away from punishment and towards protection.

The Vancouver Police Department want you to know that they are primarily concerned about your safety and combating exploitative conditions where they exist in the sex industry. You will NOT face criminal repercussions for reporting crimes of this nature.

If you wish to report suspected exploitation you can report it confidentially through;

#### **Crime Stoppers**

**1-800-222-TIPS (8477)**

[www.solvecrime.ca](http://www.solvecrime.ca)

#### **Vancouver Sex Industry Liaison Officer**

Lynda Malcolm- cell 604-516-9854.

[linda.malcolm@vpd.ca](mailto:linda.malcolm@vpd.ca)

#### **Office to Combat Trafficking in Persons**

Robin Pike, Executive Director

[Robin.E.Pike@gov.bc.ca](mailto:Robin.E.Pike@gov.bc.ca)

(011) 1-250-953-4969

[www.pssg.gov.bc.ca/octip](http://www.pssg.gov.bc.ca/octip)

#### **CAEC**

Susan Davis- acting director

604-671-2345

[coordinator@wccsip.ca](mailto:coordinator@wccsip.ca)

**Sex Industry Review Committee**  
Jane doe- committee chair  
604-xxx-xxxx  
[xxx@xxx.com](mailto:xxx@xxx.com)

## **WHAT IF YOU ARE A VICTIM OF VIOLENCE?**

### **Supports, Services and Information for Sex Industry Workers Who are Victims of Crime**

## **Victim Link**

1 800 563 0808

### **Help is Available**

If you are a sex industry worker and have been the victim of a crime, **YOU DO QUALIFY FOR SUPPORT** and **YOU DO HAVE RIGHTS**. No matter what you are told to the contrary, help is available through **VictimLINK** and the Ministry of Public Safety and Solicitor General.

Sex industry workers may feel frustrated when dealing with the criminal justice system after being a victim of crime. As sex industry workers we often experience added trauma as we are judged or devalued because of our occupation and the prejudices of others during the process. Lack of education and understanding has made it difficult for sex industry workers to access Victim Services and the supports that are available for ALL victims of crime.

The BC Government has programs created specifically for victims and this document has been created to support you in accessing these programs. However, you should be prepared for delays as some barriers still exist.

The following information should assist you on your journey. Remember that you are strong, you are powerful and resourceful. No one and nothing can ever take that from you.

### **Dealing with the after effects of Violence**

If you have been the victim of a serious crime it is very normal to personally experience

- Being overwhelmed
- Depression
- Anger or rage
- Fear
- Confusion
- Numbness
- Shame
- Powerlessness

Or to do things like:

- Use drugs or alcohol to cope and/ or forget
- Go back to work
- Take greater risks
- Withdraw and isolate

### **What can I expect to experience personally?**

People experience a wide range of physical and emotional changes over a short period of time while others experience feelings long after the crime has taken place. You may find that your reaction will change from day to day or from week to week.

Victims of crime have some common experiences. For example you may feel just fine and then suddenly you break down and feelings of powerlessness, rage or sadness return. During these times remember that the feelings will pass.

## Example:

You may think that you are to blame because you entered the hotel room, agreed to take the date or got into the car, but you cannot consent to assault and your occupation does not entitle someone to victimize you in any way.

### Seek support

Always seek the support of an advocate or someone who has your interests at heart. No appeals or re-trials can be filed if you feel that you have been treated unfairly by the justice system.

## Triggers

Triggers are things that cause physically, mentally or emotionally changes within us such as certain smell, sound, place, or person.

When the intensity of these feelings has passed identify any particular smells, touch, place, and/or sound that may have set off the intense feelings and reminders of the crime.

Getting a sense of your triggers can help you avoid situations where you may encounter them. Involvement in the sex industry can mean that you will HAVE to return to places and situations that may trigger you. If you plan to return to work in the sex industry, it is wise to develop a plan to help you cope.

## Returning to work

Unlike other victims of crime, sex industry workers often have to return to the scene of the crime in order to continue to earn their living.

Where possible try to make a **return to work safety plan** with a friend or a sex industry worker advocate that addresses any fears you may have and will help you plan in advance how to handle being triggered should it occur. You may want to create your own self-care plan; rituals and routines that make you feel safer.

Creating a **self-care safety plan** and making it a **daily routine** in your life will also help you cope with returning to work.

## Self Care

Self-care is not just a tool for victims of crime but for every human being. Creating a strong self-care plan keeps you healthy and increases your resiliency (ability to 'spring back').

### What should you do if you are the victim of a crime?

There are many things to consider if you have been the victim of a crime. Your **physical and emotional health** is at risk and the decisions you make can impact your life for years to come.

The filling out of police reports and proceeding with criminal charges can be a difficult and painful process and as a sex worker you may even encounter people who are insensitive in their handling of your case.

Details of your **private life may become public** and your privacy compromised. The consequences of **being "outed"** as a sex worker can affect many aspects of your life both personally and professionally.

## TIP

### Stay in the present

When you are experiencing overwhelming feelings it is helpful to concentrate on the present; focus on your breathing; firmly plant your feet on the ground while directing your attention on a particular object. Staying present will help keep your mind out of the past.

**Remember, Be Persistent!** As the victim of a crime you are entitled to support and compensation

### **Examples of self-care:**

Exercise  
Eating regularly  
Writing: keeping a journal or poetry  
Getting sleep  
Reading a book that's uplifting  
Art: Singing, dance  
Chatting with a friend  
Laugh  
Meditation  
Window shopping  
A hot bath  
Trying something new

#### **TIP**

Take a break!

Though it's not always possible, try to take time off work, change where and how you work. You may want to change your work phone numbers, get security, and get a work partner or spotter to reduce the likelihood of being re-victimized

#### **TIP**

Victim Service Workers provide:

- emotional support;
- practical assistance, such as going with you to talk with the police;
- information about the criminal justice system, the court process, and the status of your case;
- court orientation and accompaniment;
- assistance with the Crime Victim Assistance Program applications;
- referrals to other agencies and services;
- and help in preparing a Victim Impact Statement

### **So Why Report?**

The **safety of other sex workers** depends on the prosecution of the people who commit crimes against us. Choosing to go forward with criminal charges will protect other sex workers from experiencing the crime that you have. Proceeding with charges can also change the way society and the justice system handles our cases. You will have to **be strong** as well as patient but **you don't have to be alone**. An important step in dealing with the effects of a crime is to **talk about it with someone** you feel comfortable with. Friends and family can be a great source of support and if you are uncomfortable with talking to someone you know VictimLINK (see resource section) can put you in touch with over 150 victim service programs across the province. They can also connect you with a sex worker serving organization who can try to answer any questions you may have in regard to the risks and benefits of filing criminal charges.

### **Your Rights**

Knowing your rights is the key to receiving fair treatment throughout the criminal justice process. If you have been the victim of a crime, you have rights under the Victim of Crime Act.

The purpose of the act is to make Victim Services available to ALL victims of crime and to remove any barriers that prevent people from accessing their services. However, some problems do still exist for sex workers attempting to qualify for benefits and access to victim services programs.

### **What is the Crime Victim Assistance Program (CVAP)?**

This program is a resource that provides 'last resort' financial support to victims of crime and immediate family members providing that assaults are reported to community support staff, medical professionals or law enforcement.

Financial support is given for a range of expenses for injuries from the crime, some of which include the following:

- Medical and dental treatment and prescription drugs
- Replacing eye glasses and clothing damaged during the crime;
- Counseling;
- Support for a child born of rape if you keep the child or pay child support
- disability aids, childcare and homemaker expenses;
- Income support;
- Transportation to get to medical or counselling appointments;

If you are not on Income Assistance, **this program does not require you to apply** for those supports.

If you are present when someone close to you is killed or suffers a life threatening injury from a crime you can apply for things like counselling, prescription drugs and transportation to get to counselling,

If you are a victim of a sexual assault there is **no time limit** to apply for funds.

#### **TIP**

##### **You should know**

If you work in the sex industry it is more difficult to prove **lost wages** because:

- Compensation for lost wages is based on an hourly wage;
- Sex workers must file income tax returns in order to prove income;
- The amount paid is based on the difference between what you made before the crime and what you are able to make after;
- The maximum benefit is \$8 for 40 hours per week, regardless of how much you made before the crime;
- If you are receiving income assistance, funds from this program may be added to pay for expenses.

#### **TIP**

Provide Victim Services with detailed information about the crime being discussed. **Do not blur the details** of your case with other personal background information, this can make your case less clear and jeopardize your filling a successful claim.

You have the right to:

- be treated with respect and dignity by all justice personnel;
- choose whether or not to engage with police or press charges. \*Choosing not to press charges will not affect your eligibility for benefits.
- be protected against intimidation and retaliation;
- justice system personnel who are trained to respond appropriately;
- interpreters in any language;
- culturally sensitive services for aboriginal peoples and members of ethnic groups;
- present a victim impact statement on how the crime has affected your life to the court before sentencing;
- FREE and independent legal advice regarding other people's access to your personal information being presented in court.

## **7. House Policies and responsible sex industry practices**

Setting house policies for yourself or your business

## **8. Resources**

[The Naked Truth](#) - an online community for the adult entertainment industry.

<http://www.nakedtruth.ca/home.php>

**BCCEC-BC Coalition of Experiential Communities – sex worker rights organizing**  
<http://bccec.wordpress.com>

**WCCSIP- West Coast Cooperative of Sex Industry Professionals**  
[www.wccsip.ca](http://www.wccsip.ca)

**Trade Secrets- A Guide to Occupational Health and Safety in the Sex Industry**  
[www.tradesecretsguide.blogspot.com](http://www.tradesecretsguide.blogspot.com)

**HUSTLE- Men on the move**  
for male and trans sex workers  
604 681-3044

**Pivot Legal Society,**  
678 Hastings St East,  
Vancouver, B.C.  
V6A 1R1 Canada,  
Tel. (+1) 604 255 9700

**P.A.C.E. Society**  
direct support for sex workers  
mail to; P.O. Box 73537  
1014 Robson St.  
Vancouver, B.C  
V6E 1A7  
Office Address:  
49 West Cordova Street  
Vancouver B.C.  
V6B 1C8  
Tel: 604-872-7651  
fax: 604-872-7508  
Toll free: 1-866-872-8751  
Email: [pace-admin@telus.net](mailto:pace-admin@telus.net)  
Hours: of Operation: Monday to Thursday, 10:00AM to 6:00PM

**PEERS Vancouver- exiting support for sex workers**  
**604 681-3044**  
[pr@peersvancouver.org](mailto:pr@peersvancouver.org)

**SWAN-**  
Supporting Women's Alternative's Network  
604-719-6343 or email us at  
[info@swanvancouver.ca](mailto:info@swanvancouver.ca)  
[www.swanvancouver.ca](http://www.swanvancouver.ca)

**ORCHID-**  
*Contact:* 119 West Pender Street, Vancouver  
*Phone:* 604-669-5567  
*Email:* [orchid@asia.bc.ca](mailto:orchid@asia.bc.ca)

**WISH Drop-In Centre Society**  
Vancouver  
Phone: 604-681-9244 –drop in centre- 604-669-9474  
Web: [www.wish-vancouver.net](http://www.wish-vancouver.net)

**MAP Van**

Mobile services for sex workers  
Cell phone- between 10 pm and 7am

**Boys R Us Program**

Contact: (mailing address only) 320- 1290 Hornby St Vancouver

Phone: 604-633-4200

Fax: 604-714-3478

**Three Bridges Community Health Care Center**

1292 Hornby Street

Vancouver, BC

V6Z 1W2

604-736-9844

Fax: 604-734-5918

**Insite**

139 East Hastings Street

Vancouver, BC

604-687-7483

Fax: 604-694-7779

**Downtown Addictions Services**

569 Powell Street

Vancouver, BC

V6A 1G8

604-255-3151

Fax: 604-255-0314

**Onsite Transitional Housing**

3rd Floor-Insite

139 East Hastings Street

Vancouver, BC

604-687-7483

Fax: 604-694-7779

**Pender Addiction Services**

59 West Pender Street

Vancouver, BC

V6B 1R3

604-669-9181

Fax: 604-688-9775

**Health Contact Centre**

1st Floor-Roosevelt Hotel (enter from alley)

166 East Hastings Street

Vancouver, BC

V6A 1N4

604-658-1224

Fax: 604-669-5185

**Aboriginal Wellness Program**

255 East 12th Avenue

Vancouver, BC

V5T 2H1

604-875-6601

Fax: 604-875-6609  
E-mail: [AboriginalWellnessProgram@vch.ca](mailto:AboriginalWellnessProgram@vch.ca)

**Crime Stoppers**  
**1-800-222-TIPS (8477)**  
[www.solvecrime.ca](http://www.solvecrime.ca)

**Vancouver Sex Industry Liaison Officer**  
Lynda Malcolm- cell 604-516-9854.  
[linda.malcolm@vpd.ca](mailto:linda.malcolm@vpd.ca)

**Office to Combat Trafficking in Persons**  
Robin Pike, Executive Director  
[Robin.E.Pike@gov.bc.ca](mailto:Robin.E.Pike@gov.bc.ca)  
(011) 1-250-953-4969  
[www.pssg.gov.bc.ca/octip](http://www.pssg.gov.bc.ca/octip)

**Sex Industry Review Committee**  
Jane doe- committee chair  
604-xxx-xxxx  
[xxx@xxxx.com](mailto:xxx@xxxx.com)

## **9. Sex Industry Health, Safety and Security;**

### **For Sex Industry Workers**

The sex industry is made up of many different genres and disciplines including but not limited to the following examples. We provide these examples to assist your understanding of the guide as you read. For a more extensive list, see [www.tradesecretsguide.blogspot.com](http://www.tradesecretsguide.blogspot.com)

#### **Adult Film**

##### **Adult Film and Photography**

Movies and photos with adult oriented sexual content; including but not limited to categories such as soft-core, hard-core, max hard-core, BDSM and fetish activities.

##### **Adult film and photography talent/model/performer**

An adult who performs and/or models in adult oriented films and photo shoots.

##### **Adult film and photography companies**

Private businesses that operate adult film and photography studios, productions, sessions for DVD, Internet or photos.

#### **BDSM Work**

The term "BDSM" describes any situation or practice that involves erotic power exchange - dominance and submission, pain play, bondage, sensation play, or anything related to these activities.

#### **Fetish Work**

With respect to sexual activity, a 'fetish' is defined as anything that sexually arouses a person, such as a foot fetish or a leather fetish. Fetish work is when someone offers fetish services for money. It can involve practices relating to BDSM.

### **Female Exotic Dancer**

A female exotic dancer is an entertainer who performs seductive striptease to music, taking off her clothes until she is naked or wearing very little. An exotic dancer may perform for a large or small audience, individuals or couples in strip clubs, nightclubs, or at private parties. The term exotic dancer encompasses features, showgirls, and house dancers.

#### **Feature**

The highest paid exotic dancer performing at a club is called the feature. Feature shows are generally interactive, with elaborate costumes, props and themes.

#### **Showgirl**

A showgirl is skilled at holding an audience's attention using dance and/or other specialized skills (pole work, acrobatics, gymnastics, fire shows, theme shows, etc) and by responding to the audience's reaction (s).

They do not have a home bar and travel is often required. Showgirls are paid per show and are not compensated for their entertainment expenses, additional time, floor time, or travel expenses. A strong advantage of showgirl work is a guaranteed paycheck at the end of the week.

#### **Private Dancer / VIP Dancer / House Dancer**

A house dancer is an exotic dancer whose primary income comes from selling dances one-on-one in a private booth for individuals or couples. While on shift, house dancers are often required to do stage rotation, performing on stage for free, or for little pay. House dancers may be on shift by the bar, or may pay a drop in fee to the bar in order to work. House dancers have the advantage of sleeping in their own bed at night and have the stability of a steady place of employment.

### **Male Exotic Dancer**

A male exotic dancer is a man who performs erotic dance or acrobatic movements while removing all or part of his clothing for an audience of men, women or couples. Male exotic dancers are often body builders and are usually very well-toned and muscular.

Contracted under different rules and regulations than female exotic dancers (in part due to there being fewer opportunities for paid male performance), male dancers are generally paid more for their shows with their shows lasting longer than female exotic dancers shows. Male dancers usually have another job that provides the bulk of their income.

Male exotic dancers perform in either a group (troupe or revue) or solo format to pre-recorded music that may follow a theme or exhibit similarities from song to song. Solo performers are required to perform more often than revue/troupe performers.

#### **Live Erotic Performer**

A live erotic performer provides sex shows that may or may not include contact with the audience or an individual customer. The performance may be on stage or in person. Some examples are burlesque dancers, peep show workers, auto-erotic performers (who masturbate in front of an audience), fetish performers, or anyone who performs sexual acts on stage or in front of clients during private sessions.

#### **Peep Show Performer (Booth Baby)**

A peep show performer engages in sexual activity - usually provocative dance, striptease, masturbation, or by sexually engaging with another performer - while the customer watches from a private booth.

Some peep show establishments offer coin-operated booths showing adult films, and in some places, video booths have replaced live performers.

### **Phone Sex Operator (Phone Sex Actress, Adult Phone Entertainer)**

A phone sex operator is a paid professional who engages customers in sexual fantasies over the telephone via what are known as adult chat lines. Phone sex operators may use suggestive language, role-play, sexual confessions, and real or simulated masturbation with customers.

### **Web Cam Worker**

A web cam worker performs sexual acts online, such as role-playing, striptease, masturbation, BDSM, or other fetishes. He or she performs before a camera with the content displayed on a website that customers pay to access.

### **Sex Worker / Escort / Courtesan**

A sex worker who directly provides agreed upon physical sexual services in exchange for money or other payment.

### **Street-based Sex Worker**

A street-based sex worker finds and/or serves his or her clients outside from a street corner. Many cities and communities have specific areas (called strolls) where outdoor workers can be found.

### **Escort Service Worker**

An escort service worker is a sex worker who traditionally only visits clients on an “out call” basis, meaning the worker would attend the patron’s residence or hotel room for the encounter. Escorting may or may not include sexual contact; however, the client generally expects that sex will occur. Escort service workers are sometimes employed to travel with their clients on vacations or business trips or to accompany them for dinner or to an office party.

### **Independent Escort**

An Independent Escort is a sex worker who does not work for an escort agency, massage parlour, or health enhancement center, but works as a sole proprietor or free agent.

### **Massage Worker/ Health Enhancement Center Worker**

A massage or health enhancement center worker is a sex worker who works in a retail or licensed business establishment on an “in-call” or on-site basis. Sex or full service is not always provided but a body massage followed by sexual release in the form of a hand job is generally expected. The level of contact is usually the choice of the worker with a wide variety of work environments ranging from fantasy rooms to beauty parlours.

### **Escort Service**

An escort service or agency is a sex industry business that is intended to enable sex industry clients and workers to meet safely on an ‘out-call’ basis. An escort service traditionally provides advertising, security in the form of a driver, a call back security service in the form of a booking girl, and access to the business owner’s regular clientele.

### **Massage Parlour/ Health Enhancement Center**

A massage parlour or health enhancement center is a sex industry business that operates as a retail or licensed business establishment on an “in-call” or on-site basis. The business traditionally provides a secure work environment, advertising and access to the business owner’s regular clientele.

### **Glory Hole Worker**

A glory hole worker is a sex worker who, for a fee, provides sexual services anonymously through a hole in a wall or door.

### **Transgender Sex Worker**

Transgender sex worker is a broad term that refers to any individual selling sexual services whose gender expression (physical, emotional, spiritual) differs from their biological or genetic gender. Transgender sex workers may choose to alter their appearances as a personal expression, feeling that they have been born into the wrong physical body and/or may do so in order to appeal sexually to a customer's specific fantasy or fetish.

### **Hustler**

Hustler is a slang term often used by men to characterize their involvement in sex work, however, not all hustlers are sex workers. A hustler can be anyone who works freelance for themselves to make fast money in order to survive. Hustlers are typically clever, cunning, quick-witted and develop a keen sense of street smarts. Some classic examples of a hustler are pool sharks, card tricksters and sleight-of-hand artists.

H.U.S.T.L.E.R. as an acronym sums it up well and may stand for- 'How U Survive This Life Everyday...Resourcefully'.

This section is designed to give new workers the tools to make safe decisions about their work and to understand the workings within various areas of our diverse industry. This information is not intended to supersede years of experience in the sex industry but rather to reaffirm our code of conduct and ensure we are all on a level playing field. For more information on any of the topics listed here please visit [www.tradesecrets.blogspot.com](http://www.tradesecrets.blogspot.com).

Some of the information provided will not relate to the area of the industry you are engaged in but we can all benefit from each others knowledge and experience.

### **Working In-door**

When we refer to sex industry workers who work “in-door,” we are talking about the majority of sex industry workers - all of us who do not work on the street. We work in agencies, our own homes, clients' homes, bathhouses, apartments, cruise lines and hotels, to name a few.

There are many “in-door” venues where sex work takes place. In-house refers to sex work done at a workspace such as a home, dungeon, or massage parlour. Out-call refers to going to the client – their homes, hotels, clubhouses, yachts, and even party buses.

Working in-doors increases the health and safety of sex industry workers because we have access to toilets and showers for cleaning up and because others are usually around, in case we need help. But we should still be aware of potential dangers and take precautions to reduce any risks.

### **Safety Tactics**

Here are some tips for staying safe when working in-doors:

- Do not answer calls from private or withheld phone numbers. Your call display can leave evidence, in case of an emergency.
- Have a driver take you on out-calls, so someone knows where you are. If he is also acting as security, make a plan with him so he knows if and when to interrupt the session.
- Call a friend or your agency in front of the client so he/she knows someone is keeping track of where you are and with whom you're with.
- Have another worker or security in the next room.
- Make sure the doors and windows are locked, and the blinds are adequately closed before commencing an appointment. This prevents predators or robbers from getting into the suite while you are entertaining.
- Keep your cell phone close in case you need to call 911.
- Have a safety plan to phone your booking staff if a conflict arises. Then stay on your cell phone while the booking person phones the client, distracting him so you can escape.

### **Being Discreet**

Here are some tips to help you keep your business discreet and consistent, without drawing the wrath of your neighbours or other community members.

- Don't keep clients waiting in halls, lobbies, or in front of the building. Clients appreciate discretion, and this can also help prevent neighbours from calling the vice squad.
- Keep windows and drapes closed, to avoid offending others with visuals or noise pertaining to sex work. Keep the volume reasonable to help prevent police calls or neighbours complaints.
- Don't discuss session activities or money with clients outside your home where the community and public can hear you.
- Don't wear a lot of make-up or dress sexy when going to an appointment. This cuts back on attention from civilians and allows you to travel more discreetly. Pack make-up, clothes, and make-up remover. When you arrive, immediately excuse yourself and go to the washroom and apply more makeup. Before leaving, wipe the extra make-up off.
- Your home is your fortress. Do not party there. Keeping your home private and discreet is key because noisy tenants draw attention. Being a noisy, problem tenant can lead to eviction and force you to move your business location. This will cost you income and some of your regular clientele.
- Do not get to know your neighbours. A connection with a neighbour can quickly become complicated and end up compromising your privacy. For example, if a fellow tenant discovers your occupation, he or she may be frightened or offended, which can also lead to eviction and loss of income.

### **Dungeons**

There are many potential risks involved with dungeon work, including, for example, pinching fingers in clasps/chains, tied-up people falling while equipment is attached to them, bondage cutting off circulation, fainting from pain, etc. Some tools can be particularly risky.

Predators posing as clients could also use our tools and supplies against us. Don't allow your client to walk around the dungeon where he can get a hold of the gear.

### **Living in Your Workspace**

It is not uncommon for sex industry workers to live in their workspaces. For example, exotic dancers place all their household belongings in storage while they live on the road. Many Domes live in their dungeons. Sex workers share rent on an apartment where they can live, work, and watch out for each other too. Actors operate webcam businesses out of their bedrooms.

If you live in your workspace, make sure you get out for breaks and fun as much as possible. Spending too much time in your workspace can make you feel bored, depressed, and burnt out. We are meant to have balance in our lives. Too much of one thing is never healthy.

### **Costumes**

To keep your costumes in good condition, clean them within a week of wearing them. Hang them, fold them, or roll them gently. And keep them separated in re-sealable bags, or on hangers. If you wear panty hose, keep extras with you in case you get runs in them.

It may be okay to clean some costumes in a washing machine on gentle cycle or in a mesh lingerie bag, but if you're not sure, don't take the chance. To avoid damage to your costumes, hand wash them, roll them up in dry towels to get excess moisture, then hang or lay flat to dry. Use light soaps, not strong detergents, to ensure durability.

Be aware that stains are often impossible to remove from PVC. So wash colours separately. And hang everything to dry. It will lengthen the life of your costumes.

### **Supplies**

Many agencies, bathhouses, and other sex industry businesses provide supplies such as condoms, towels, and sex toys, for workers.

If you work independently or your agency does not provide supplies, this responsibility will fall to you. Supplies can get expensive, but some are available for free, if you're willing to look around.

Look for a sex worker organization in your area. This is a good place to get free condoms, dental dams, and lubes. Needle exchanges provide free condoms and lubes, as well as needles (for safe drug use). Some organizations also provide alcohol swabs and latex gloves.

Professional escort services may provide fresh covers for the bed, washcloths, and towels. Some will even include several kinds of liquid soaps, shampoos, and face wash in the shower; in addition to baby wipes, hand soap, mouthwash and Dixie cups.

### **Sex Toys**

Other supplies include work toys, such as vibrators, dildos, or strap-on toys. Make sure you use condoms on your sex toys to prevent STI transmission and for general comfort. (Some cleaners may irritate skin.) Tie the loose end, if you can, to provide a complete barrier. Then change condoms every time you change partners or the area of the body you are penetrating with the toy. Use plenty of lubrication to prevent the condom from breaking.

The best kinds of sex toys are ones that are 100% silicone. They are a little more expensive, but they last longer, they're hypoallergenic, and they're easy to clean. Many other toys are made out of soft, porous materials that are impossible to sterilize completely and put you at risk of infection even if you don't share your tools. You can tell if a toy is silicone by its smell – it doesn't have one. The smelly toys are the ones to avoid.

### **Cleaning Your Supplies**

There are various ways to clean your supplies depending on what they are. It is always recommended to let your toys dry (preferably overnight) before using them again.

#### **Boiling Water**

Supplies made out of silicone, medical-grade stainless steel, glass, and polished stone can be boiled or put in a dishwasher.

#### **Bleach**

You can also clean supplies in a bleach and water solution (one part bleach, ten parts water) which will kill almost all viruses, bacteria, and fungi. The solution loses its effectiveness after 24 hours, so make a new solution daily.

Use this solution to clean up body fluids on the dungeon floor, bathtub or other surfaces. After using bleach, rinse with soap and water to avoid burning your skin.

#### **Precept Tablets**

For most supplies, you can put 2 precept tablets in 3 litres of hot water. Soak your tools in it for an hour before rinsing well with water.

#### **Cleaning Metals**

Use a pressure cooker for supplies made of metal. Get the water boiling for 15 minutes and add a few drops of bleach. Another method is to use rubbing alcohol and water for stainless steel and brass.

#### **Hydrogen Peroxide for Leather**

Leather items, such as whips, riding crops, and handcuffs can be cleaned with water and soap, using a bristle brush. Smooth on hydrogen peroxide, then let dry. Be sure to use a leather conditioner once the item is dry to prevent cracks and lengthen the life of your leather products.

Hydrogen Peroxide is also good for cleaning pleather and PVC.

### **Storage**

Store your tools in clean, re-sealable plastic bags.

### **STI Testing**

Most adult film studios and some other sex industry businesses require an STI check with written results from our doctors before we can start working. Testing is frequent and ongoing for some of us.

Take advantage of these opportunities to discuss any health questions or concerns you have with the doctor or nurse.

### **Learning the Business**

Every sex industry worker has a different experience when learning his or her area of the trade. Some of us work for business owners who take an interest in training us. Some of us have to figure it out for ourselves, especially if the other workers are competitive or not very friendly.

Some of us mentored by other experienced workers. Historically, this has been the case for most of us, learning from the workers who came before us. The best teachers are understanding and helpful with new workers, recognizing that we all were there at one time.

Other ways to learn our trade is through training courses, such as BDSM workshops or pole dance lessons; reading books; following the example of others in the industry; or just using common sense.

Many of us take our work experience and open up businesses that offer lessons and workshops. Sex worker organizations often provide educational information about working safely. Please see [www.tradesecretsguide.blogspot.com](http://www.tradesecretsguide.blogspot.com) for more information.

### **Security**

You know that big, lovable guy friend of yours who never has a job? Put him to work as your security. Yeah, it sucks to take a cut off the top. But it's easier to give it up because he's your friend. You'll feel more confident and comfortable knowing you've got back up if you need it.

### **Adult Film**

Before applying for an adult film position, find out either the name of the company, or the name of the person hiring. Google search their names. Check out their web sites. Go to online forums for sex workers to read reviews. Ask others in the industry what they know.

Create a list of what activities you are willing to do. Ask the business owner what will be required of you, how long the shoot will be, and how much the pay will be. There is nothing wrong with trying to negotiate your pay or the activities you're expected to perform before the shoot.

Get regular STI checks from clinics or your doctor and get a photocopy of the results to bring in for work. You will need ID to show the doctor to get your results. Most companies require testing every one to six months. Ask about this in advance to get the ball rolling before commencing work, so you will be prepared. It usually takes one week to get results.

Most professional film companies do not allow performers to bring accompaniments to the shoot. It's always worth asking though.

Use a 'spotter'. Whether it is a driver outside or someone you can text. When texting, contact your "spotter" every hour or two so they know you are safe during the filming / photography session. Make sure the spotter knows the producer's name, address and phone number so police can be called if your texts stop coming and the performer won't answer the phone.

Leave a paper trail of where you are going. Email your spotter or a friend, the location of the shoot as well as other information such as the name of the company, email address of the business owner, pertinent phone

numbers and dates of the shoot. This way if communication is lost somehow, the police can be called to intervene.

When choosing adult film work, there are many options for employment. Some are safer than others. Solo work using your own toys is the safest way to not get an STI. There are many fetish sites that film only your feet, your armpit, bubble blowing or other interesting activities that are very safe forms of employment.

If you are going to do sexual activities, check before the shoot if the company does bareback shoots, or if condoms are worn. Ask if dental dams are used during vaginal oral scenes. Ask if you can use condoms during felatio. If barriers are not used, then there is a high risk of contracting diseases. Even kissing is unsafe, as many people have the herpes virus that causes cold sores. Only choose sexual work that takes as many health precautions as possible. Safe sex can still be sexy to watch.

## **Web cam**

Some web cam entertainers work in an office setting with a computer and a bed in each room.

To prevent an exchange of bodily fluids from previous workers:

- Put your own plastic cover on keyboard.
- Bring Lysol disinfectant spray to spray on office phones used communally for webcam with phone sex shows.
- Bring your own clean sheets and bedding to your cubicle.
- Bring lots of your own toys and costumes. Cover toys with condoms if you are sharing.

It's easy to be "on" for long periods of time, especially if you are in the comfort of your own home. But it's still a job and can be physically, mentally and emotionally draining. Take breaks. Set regular hours for yourself. Be prepared for busy times and slow times. Pace yourself. Watch your posture. Drink water. Eat meals. Get enough sleep.

Many web cam clients live in remote areas with few sex workers, so the only way they can get workers to visit them is if they pay all costs. . If a web cam client wants to send you money to travel somewhere for an actual live sex work session, take as many precautions as possible. Make them pay up front, give you their real name and pay for your accommodations.

## **Internet Safety**

If you are running a web service of any kind from home, make sure you have a firewall and an antivirus system to protect yourself from hackers.

If you are using wireless Internet in your home, make sure it is secure. Others can easily log onto unsecured wireless Internet connections and post information on the Internet that would lead back to you. You don't want police showing up to your dungeon because of someone else's actions.

As anyone can look up the owner of a web site domain name, it's also wise to make sure that your personal information posted is either blocked (with a third party service) or uses a P.O. Box address. Sometimes your web host company will want to replace your contact information with theirs. Just tell them that you are concerned about your personal information being available to the public.

Although there are tricks to make it difficult for others to copy your photographs from websites, there is really no foolproof way of doing it. Clients can easily do screen captures of anything they see on the Internet.

## **Strip Clubs**

### **Stages**

The stage can be a dangerous place to be when you're wearing stilettos. Especially if it is the first time you've gotten up on this particular stage. You need to watch for holes in the floor, speakers that are hanging low enough to bang your head on them, hanging wires from the lighting, and slippery or sticky spots where you step.

Stages with floor lighting are quite slippery in spots. An otherwise safe stage can become hazardous after a performance with candles or oils. Don't feel bad if you need to walk off a stage and explain to the DJ that it is too slippery.

Stages that are covered in carpet can be difficult to dance on in heels. It takes a bit of getting used to. Your heels may snag on torn parts of the carpet, so be careful.

Don't allow customers to place their drinks or belongings on the edge of the stage, where you might trip over them. If a customer is belligerent and you feel safe enough to do it, simply take the item away and put it at the back of the stage until the end of your show.

### **Hotel Rooms / Accommodations**

Dancers are often provided with accommodations in the adjoining hotel of the club where they are working. In other situations, you may have a dancer suite or house with your own bedrooms but shared kitchen and bathrooms.

Depending on the club, you will either pay for your accommodations or they'll be free. Some clubs will have a housekeeping fee or other ways to reduce your paycheck. It's good to ask ahead of time if the club has any extra fees.

You may be expected to share a room. This can be problematic if one of you smokes and the other doesn't, or if you have a private health problem that is hard to hide in a shared room. If it's not a good fit, you could be in for a really bad week.

To avoid such risks, ask your agent or the club before booking a gig if you will get your own room. If not, you could ask about paying extra for your own room.

### **Security**

Some clubs have not changed the locks to the accommodations for their dancers in years, if ever. There's been many occasions when dancers have had complete strangers walk into their rooms, or had their belongings stolen from their hotel rooms or the change rooms.

Let the clubs know if anything like that happens to you and advise them to change their locks. If you do not feel safe, consider leaving. You could rent your own room in the same hotel or at another nearby hotel. Or you could risk getting blacklisted for a while and walk out on the gig. Your safety is more important than your paycheck.

Be aware that some accommodations do not provide telephones. If you have a cell phone, keep it charged at all times. Remember that even a cell phone that does not have service can be used to call 911 as long as it is charged.

### **Cleanliness**

Some hotel rooms are very clean, and others should be condemned. Some of the worst hotel rooms will have mouse droppings, cockroach problems, or bedbugs.

It is a good idea to bring your own bedding along. You should also bring all your own toiletries, including toilet paper (in case theirs is like sandpaper) and soap. And if you like your baths, some cleaner and rags might be a godsend.

Some dancers have found allergy pills will help them get through weeks where the rooms have mould in them. You can sometimes smell mould – it's a musty, damp odour. Other times you may not know it is there.

### **Fire Safety**

As we all know, strip clubs are often run out of very old buildings that are not maintained. This means deteriorated electrical systems and smoke detectors that don't work. The fire risk in strip clubs must be high since so many clubs have burned down to the ground.

Be very careful with cigarette butts, candles, or anything else you are burning in your room. Unplug your hair appliances when you're done with them. Keep your costumes organized so you can grab them and run as it's unlikely they will be covered under a hotel or club insurance policy. If you can afford house insurance, you can list your costumes for coverage and that coverage will extend to theft from a location outside your home, such as from a car or hotel.

### **Pole**

Keep yourself and others safe by washing your hands before every show. This will prevent hand lotion, tanning lotion, and sweaty palms from getting the pole dirty or slippery.

Avoid moves that cause your anus or vulva to touch the pole. This is a common courtesy among entertainers that is expected of you.

If you do a show that involves some kind of substance that makes the stage or pole slippery or messy in any way – clean up thoroughly after your show out of respect for the following performers.

Don't lick the pole. It is full of bacteria from the hands of numerous other dancers (and who knows who else when the club is closed).

Feel free to go up and clean the pole yourself before the club opens. At least you'll know it's been cleaned every day. Some dancers clean the pole before all their shows.

### **Towel**

Carry a towel when you're in the club in costume. Lay it down on chairs before you sit. This will reduce rashes caused by naked skin contacting surfaces and goddess knows what else.

### **Blanket**

Buy a blanket that has two different sides. Use one side for the stage and one side for your body, so you will always have the dirty side down. Wash your blanket once or twice a week, if possible. A blanket that will slide easily on the stage is a nice choice. Some dancers even make their own blankets with their names on them.

Avoid white or neon fun fur. The fur comes off and sticks to your body and glows. White also picks up leftover paint from paint shows and looks grungy in no time.

### **Safety Advice for Everyone**

*“Don't work desperate, if you can help it. Somehow all my bad dates happened when I was really desperate for money.”*

*“Be sure of yourself and strong. You attract what you give off. Act weak and the predators come.”*

- TRUST YOUR GUT. If it says “suspicion” or “danger” – get the hell out of there fast.
- Don't accept drinks from clients unless you watched them being poured and are sure they've not been spiked.
- Always get your money up front. Once the client finishes the sex act (or the dance is over, etc) they may no longer be willing to pay.

- Hide your money in your boot but make it appear you put it somewhere else like your purse. Or you could hide the money in a drawer or behind the mirror while the client is busy getting naked. The client will sometimes attempt to take the money back after the session is over.
- Stilettos are a weapon – kick like crazy!
- If possible, get security to walk you out when you're leaving a workspace – this will protect you from being robbed or worse.

### **Our Co-Workers and Associates**

This chapter focuses on managing relationships with coworkers. For more information about being a sex industry coworkers, see Chapter 13 – For Our Co-workers of [www.tradesecretsguide.blogspot.com](http://www.tradesecretsguide.blogspot.com)

The following are examples of people who work as non-sex industry workers in the sex industry:

Agency Owners  
 Agents  
 Bar Managers/Owners  
 Bartenders  
 Booking staff  
 Bouncers  
 Cab Drivers  
 Cinematographers  
 DJ's  
 Drivers  
 Film Editors  
 Fluffers  
 Hair Stylists  
 Make-up Artists  
 Massage Girls  
 Photographers  
 Porters  
 Security  
 Servers  
 Shooter girls  
 Videographers  
 Webmasters

Disclaimer: While there are wonderful examples of co-workers in all of the listed professions, this chapter mostly focuses on avoiding difficult co-workers and managing relationships with them. This is not meant to disparage the incredible co-workers we know and love in the adult entertainment industry.

### **Booking Staff / Phone Girls**

*“Sometimes it's just not busy and there aren't any calls, calling the office over and over won't change that and neither will getting mad at me.”*

Booking staff takes calls and answers questions from potential customers about rates and services. If a client is interested, they will take down their information – name, location, and desired time for the encounter.

They select and inform the worker of the booked engagement and arrange a driver / security for the worker. There is usually a call-in service where they check in with you to ensure your safety during the engagement.

For some entertainers, phone girls manage more than just the phone. They tell you to do your laundry, delegate chores, and book out-calls.

Make sure booking staff knows how you like to promote yourself (specs, ethnicity, services offered, and special talents). They make commission off the call so they should want repeat customers.

Ask them not to lie about you. Lying to customers makes them disappointed and sets you up for potential violence.

### **Drivers**

Your driver might be your best bet to staying safe in this business. Be sure that you have a driver you can trust. Good drivers will help you carry your bags, walk you out to the car, be sober and polite, and watch out for you.

During outcalls, make sure the driver is alert and waiting outside for you during your whole session in case you want to leave early.

It is best to ask what the prices are for a ride before booking the driver. Many drivers have a price list depending on which area of town you are going to.

Although tipping is nice, it's not mandatory. You *should* tip if they are providing security though, as being security is a dangerous, high-stress job.

Beware of people who post ads for driver services online, but just want sexual services rather than a pay out.

### **Exotic Dancer Agents**

Working with agents can be tricky. If you don't do what they ask, they might stop giving you work. If you do what they ask, you might regret it. If you always do what they ask, they will take advantage of you. If you never do what they ask, they will lose your number.

It's best to keep a middle ground between doing favours and saying no. For instance, say yes to stripathons and do a show or two for charity, but say no to working at a club that requires mandatory floor time. Or vice-versa. Do what is right for you.

If the agency you're booking through starts bumping you out of gigs, go to another agency in the meantime, or book in another province. If you can't travel, switch to private dancing for a month or two. Don't let them push you around. If you don't call for a while, they'll be glad to hear from you when you do.

Don't assume your agent is telling the truth about a gig. Some agents will leave out details and feign ignorance or say they assumed you knew. They will also tell you one show price then give you another (smaller) show price when it comes time for the club to pay you. If you can, see your contract early in the week. This is not always possible in this industry, but it is good practice.

Let your agents know about new costumes, a great tan, or any new promo. If they only know you on the phone they may not know how good you're looking these days. Let them know you are investing in your career.

Be professional and reliable. And don't be afraid to ask for a raise in show price if you think you deserve it. Remember you can set your own show price by saying no to anything below what you want. However, some of the gigs with lower show prices but higher show counts (more shows) are the best, money making gigs out there. So be a little flexible.

See chapter 4 – Our Work- [www.tradesecretsguide.blogspot.com](http://www.tradesecretsguide.blogspot.com) , for more information on working with agents.

### **Hair Stylists**

It is uncommon to have hair stylists for adult film and modeling unless you purchase their services before the shoot. If you are having sex, keep your hair simple as it's going to get messy during the workday. Bring

your own hairbrush and hair products to the set for fix ups during breaks. Some places may have a hair stylist provided. It's a tax write-off. So get receipts.

### **Make-up artists**

Look at their portfolios first. If you like their work, ask them to come in for a free or discounted trial to see how you like them. They're usually fun to chat with before a shoot.

Some make-up takes forever to do. Try to sit still and be patient while they work. If you have your own artist and it's going to be a long day, ask business owners if you can bring her on set for touch ups.

If the make-up artist does not stick around for the shoot, it is okay to ask her to leave a little make-up behind for touch-ups. Some adult film / modeling companies have their own make-up person they like to use. It is also a tax write-off. So get receipts.

### **Movie Directors / Producers**

Movie Directors / Producers (as well as photographers) can edit content however they want. You are required to sign your rights over in order to get work and get paid.

They tell you what activities are required during the shoot, but often you won't know what the content will be used for. They can also alter photos of you to make your face look different, and you cannot change them because you signed your rights over.

Remember that you don't have a say in how you are advertised or promoted either.

Be aware that the directors / producers decide what content they want to shoot. If you don't want to perform that content for some reason or another, you may lose the chance to work for that movie. Stick to your guns though. If possible, specify your boundaries ahead of time.

### **Photographers / Cinematographers**

Usually you can collaborate a bit. Tell them if you have a bad bruise somewhere. Tell them if you don't want your face in the shot.

Communicate honestly and respectfully. If you have an idea, most camera operators are open to trying something you suggest (themes, angles, etc).

Sometimes photographers are willing to trade the shoot for the photos. They will use the photos in their portfolios online or in print. In return, you get a free photo shoot to update your promo.

### **Security**

When hiring security, it is best to use a friend or someone referred to you by people you trust. Tell them what you need and find out their experience levels before hiring them.

Come up with safety plans together. Make sure you know each other's job descriptions and duties.

On more challenging nights, tip your security. It will keep them motivated in their job.

### **Strip Club Bouncers**

There are lots of great bouncers out there. They seem to genuinely care about our safety and they take their jobs seriously. Others could use some training.

Feel free to report bad bouncers to club managers. But be aware that the manager may back him up rather than you. Use your own discretion and trust your gut.

If you tip your bouncers in advance, you'll likely see a marked improvement in your own security.

### **Strip Club DJ's (and other staff who manage the dancers)**

Exotic dancers work in close contact with DJ's. In clubs where there is no DJ, it may be the bar manager or owner, or even the bartender. But there are usually one or two people depending on the shift who are

keeping track of our schedule. Head bartenders, DJ's and management have the authority to give fines and take other disciplinary actions (e.g. firing dancers).

A strip club DJ is actually an MC. The only traditional DJ responsibilities he has are programming dancer's CDs and playing music between sets. Most of his job is dealing with dancers.

The DJ is responsible for announcing the performers, building up the crowd, and being on the microphone all night. It is his or her responsibility to get the dancers on and off stage on time and ensure that everyone in the line-up is doing their shows. The DJ usually deals with show changes, trades, and screw-ups. He issues fines for late shows, and keeps the running of the stage out of the manager's hands.

If you are lucky, the DJ is fun to hang out with, supportive of having a positive atmosphere, and encourages patrons to tip you. If you are not lucky, well – you'll have to find another way to stay positive for your shows.

If your closest support worker is on a power trip, you need to tread carefully. He can get you blacklisted by the club or agency. He can cancel shows when the club is slow if you don't tip to his satisfaction. If you have to rebel, make sure you have a backup plan.

The DJ has the added power of controlling your lighting and music. So try to get along well with him, even if you are putting on an award-winning performance to do it. Less conflict equals better lighting. ☺

### **Tipping your DJ**

In Vancouver, most dancers tip the DJ at the end of the week or if they have a good night and make lots on stage they may tip then as well.

### **Webmasters**

Webmasters design how you are being promoted online. You can have a complete business relationship with a Webmaster without ever meeting that person. Check their portfolios before hiring. You can and should Google their names to check out their work.

Anyone can get a decent website for \$100 these days - anyone trying to charge \$3000 better have some Steven Spielberg special effects going on.

Webmasters are under your employ, so you must tell them exactly what text/wording you want, and only send them your favourite photos.

You really have to describe the look you are aiming for. You determine everything from font style and colour schemes to choice of wording. You are the creator behind all of it and it all makes a difference in the client's mind.

Don't pay until it is done. It is always a good idea to give gifts (wine, baking, a little money) at the end of every well-done project.

If the Webmaster you hired isn't working on things in a timely manner, find out why? Give a deadline, and if they don't make it, find someone else. Change your passwords just before breaking the deal with them, so they no longer have access to your content, and make sure they know they have no rights to your material upon submission.

### **Other Entertainers**

Sometimes, getting along with other sex industry workers can be hard. If there is a personality conflict or you feel one entertainer is being a princess, it can get pretty tense. Competition adds to the tension.

In adult film and modeling, you often must work with other performers. Even if there is a personality clash, you still have to appear hot for each other and perform sex acts on each other.

If another worker is giving you attitude, ignore them. If he/ she verbally attacks you, try not to return the attack but simply defend yourself. Continue to treat him/her with civility for the rest of the time you work together, but don't go out of your way to befriend him/her.

Don't try to make it all better or fret about it. Let it go and move on. You can't please all of the people all of the time. And in the long run, the other workers will respect you for maintaining a professional distance regardless of the melodramatics happening around you.

With more competitive entertainers, distance yourself and refrain from disclosing much, if any, personal information.

Sometimes it is beneficial to talk it out if the other entertainer is open to it.

### **Quotes from Sex Industry Workers**

*"Sometimes when it's a bit desperate we fight- you took my regular-you owe me money. Sometimes people even lie and say you owe them money because they know you can't remember."*

*"For web cam, I worked at a company where the other industry workers could link onto my work computer while I was trying to lure in customers. This was unfair, as they would pretend to be customers and waste my time with a bunch of free chat that lead nowhere."*

*"Sometimes a girl jumps in a car before me. I let her have it [the client]. I figure she needs it more to do that."*

*"Sometimes I truly felt it was necessary to fight, both verbally and physically, to demonstrate that I wasn't going to be bullied. Other times I ignored conflicts, in hopes that they would pass. Most conflicts didn't last more than a few weeks. Alliances were made and broken and re-made very quickly."*

*"I have interacted with other workers I have pulled dates with other workers we took care of one another it was like family. Until the drugs really hit. Then things changed. There was a shift that took place in Boys Town. It became more about drugs."*

### **Colleagues In Solidarity**

If you get along with each other, hanging out with other entertainers can be the best part of the job. No one else understands your motivations so well. No one else is as fun, or funny, or honest as other sex industry workers.

Their jokes are the funniest because we get them all. Their stories are the most fascinating because we live such interesting lives in this industry. Their ideas are the most outrageous. Their comebacks: the most creative. Their personalities: the most charming.

Sex industry workers are pros at drawing people in, seducing clients with our personalities first. Then we are pros at making people comfortable and accepted. Our skills work on each other too. It's a relief to be around other socially skilled people.

It's also much easier *to talk* to other sex industry workers, since we don't have to worry that something we say will be offensive or inappropriate. It's difficult to balance such an open, direct lifestyle with the taboos of the straight world we live in. Some of us get tense in regular situations for fear of saying "the wrong thing."

### **Keep the Peace**

One of the best ways to get along with other sex industry workers is to keep your space small and tidy. Don't leave your clothes or costumes lying all over the place. Don't have your makeup spread out across the counter.

Bring your own supplies. Don't use other people's belongings without asking first. And don't be late

causing the schedule to get behind.

Here is how some Prince George workers are helping each other:

*“We share dates and let each other go first if they need the money more. We also do duos and watch each other’s backs.”*

*“If one has a problem, others come running. If he’s hurting her, we’ll stop it if we can. If it is drug or pimp related, we’ll have to stand back and help the girl after.”*

Advice for supporting other sex industry workers:

- Share experiences with each other.
- If a worker is not out of a call on time, check on her.
- If you have a really bad experience, post a note that nobody should see him.
- Give advice, safety tips.
- Show new workers the ropes.
- Try not to undercut.

### *Drug Dealers*

If you use drugs, here are some ways you can protect yourself.

- Try not to take drugs from clients. It’s easy to become addicted when you’re always getting drugs for free. Plus, you don’t know what those drugs are cut with.
- Buy all street drugs from drug dealers you trust.
- You may feel that giving sexual favours in return for drugs is better than looking for a date, which could potentially be dangerous. At least you know the drug dealer and you aren’t afraid of him.
- Or you might prefer to only use money to pay for drugs, believing that drug dealers give you more respect because you won’t trade sex for drugs.
- It is very dangerous to accept drinks from clients. Even a bottle of water could be full of GHB. Be sure to watch the drink being poured and keep an eye on it at all times.
- Try to keep a distant, non-personal relationship with drug dealers so they cannot impact your life.
- Try to use the same drug dealer consistently so you are sure of the potency of the dose you are taking.

### **Our Clients**

*“I have, for the most part, been grateful to my customers. I have been a very lonely person, so I appreciated the company. For many years, my customers treated me really well. As my addiction got stronger (alcohol and cocaine), my customers became more abusive because I started working in scarier areas and loving myself a lot less. I didn’t respect them. I became more cold.”*

According to Canadian sex industry workers, most clients are kind and generous. The stereotypical image of clients as mentally unstable outcasts is both untrue and unfair. Sex is a natural, primal desire of humans. The fact that some people feel inclined to pay for it does not make them bad people.

However, due to stigma towards sex industry workers, bad people do find us to be easy targets. They know they can harm us with near impunity (legal or moral), unlike harming Teacher Tammy or Doctor Doris. For this reason, and many others, it is important for all of us to manage our relationships with our clients with the big picture in mind.

To avoid repeat performances of violence or to prevent harm to other workers from clients who are “cheap,” who refuse to pay for services, and/or who become violent, share information on difficult or violent clients with other workers. If there is an organization that distributes bad trick information, read the information and warn others when appropriate.

You can reduce the need to take risks with strangers by nurturing relationships with regulars who are safe and consistent. This chapter will focus on managing relationships with your clients.

### *Typical Clients*

Although there are really no “typical” clients, just as there are no “typical” sex industry workers, there *are* some things we can tell you about your patrons.

You may wonder if sex industry patrons seek a range of sex industry services or if they tend to stick with one. This is very individual, however, most of the clients who contributed to this project admitted to having interests in several areas of the industry.

Here are some types of customers, as described by a sex industry worker who contributed to this Guide:

Lonely Customers – They feel lonely for whatever reason (estranged marriage, divorce, disability) and they want to spend time with beautiful, intelligent sex industry workers.

Regular Customers – They come around often and may spend a lot too.

White Knights - They want to rescue us because they think we're in a bad situation; they need to feel like they're helping.

Young Punks – Younger guys who treat the sex industry workers poorly and behave in a really vulgar manner.

Fetish Guys – They have fetishes for example, they love feet and they want to buy your socks, or they like to watch you lap dance their girlfriend.

Tourists – These clients go dungeon hopping all over the world trying out the different Dominas. They aren't afraid to lay some money down, and you know you are getting graded and compared on your performance.

Time-wasters – Clients who call every day, and email about their fantasies all the time, but rarely book.

### *Screening Customers*

*“Anyone who does not want to use condoms or other protection, those who try to get a deal, and anyone who gets mad at YOU because THEY can't get it up... Stay away!”*

There are many ways to screen customers. Here are some tips from sex industry workers across Canada:

#### *By phone:*

- When you are first learning to screen customers over the phone, you may book a lot of undesirables or no-shows. But over time, you will find it easier to be a good judge of character over the phone.
- Don't make appointments with blocked/private/withheld callers. Tell them to call back from an unblocked number.
- Question them a bit and see how the energy is.
- Listen to their tone of voice. Is the speech slurred?
- Does the client speak to you respectfully?
- Typically, a good client will phone to ask a few questions and book a time. If a phone call goes longer than a couple of minutes, this is usually bogus. The caller is just looking for a chat buddy. It rarely goes further than that.

#### *Via Internet:*

- Ask them to communicate via email and keep emails on file once you've made the first appointment.
- Only reply to well-written emails that at least try to sound like they are interested in seeing you specifically and aren't just cold-calling every pro in the city to see who will give the best rate.

- Use as service like Date Check [www.date-check.com](http://www.date-check.com)
- Good clients use respectful language in their emails and are more interested in booking a time than giving long-winded speeches. They might have a few specific questions. But generally, people of quality have already researched your services and do not need extensive communication.

*In person:*

- Check whether or not they are under the influence by checking for slurred speech, smell of booze, and facial expressions that would indicate intoxication.
- Weed out the good customers from the bad based on the questions they ask prior to the service. Turn away customers who ask too many questions about why a certain service is or is not allowed.

*In General:*

- Ask exactly what they want including questions like: are you interested in gentle, romantic sex or do you want a hard-core banging? Sometimes these conversations will lead them to disclose more about themselves, which is useful for screening.
- Get referrals from trustworthy people.

*Remember:*

- If they want to pay you lots, it might be too good to be true.
- Different cultures view sex industry workers in varying lights.
- Always be on guard.
- Intuition is a powerful personal tool. It never lets you down. So listen to it always.

### **Treat Your Clients Well**

*“The type of customer we get depends on where we meet them. If we are on the Internet in a higher paying site, we meet that customer. If we are under a dark bridge at four in the morning, we meet that customer. If you have an attitude like you’re going to rip off a customer or are being a bitch, the customer will reflect that attitude. We are also in their space; our energy can change the mood.”*

The following tips will help you promote safe and healthy experiences with your clients, and protect other sex industry workers as well.

- Be honest and upfront from the beginning. Let them know you aren’t looking for trouble.
- Treat customers with the same respect you would like to be treated with.
- Don’t rip off customers.
- Do not lie about yourself (weight, hair colour, non-smoker, etc). While some embellishment of our physical appearance is expected in this industry, overt false advertising makes customers mad - sometimes bringing them to act violently towards you or the next service provider.
- Do not steal from their home. If you want more money, raise your rates and learn new skills to provide a better service.
- With Domination, you hear a lot of crazy requests. Try to be as non-judgemental as possible, but feel comfortable in asserting your boundaries.
- Be careful when attempting to expand your services. If you change your mind after you’ve tried to offer something new (Greek, etc), you could get assaulted as many clients hate to be refused once in session.
- Treat each customer the same regardless of how you feel about him or her personally.
- Understand that the way you treat a client will have a ripple effect on the next sex industry worker and so on. Watch each other’s backs.
- Perform what you have negotiated.
- Treat them like people. You’re a customer service professional, your job is to provide a person with a service, not look down on him for seeking the service.
- Respect your client’s right to privacy.
- Engaging in fun conversation is part of the territory. This can include some personal topics and questions. Whenever you talk about something personal, be sure to include a non-intrusive comment such as “...if you don’t mind my asking”.
- Be nice to the nice ones. If they are mean, end the session immediately.
- Agree on a price, time, location, etc and stick to it. They don’t like surprises any more than we do.

- Don't humiliate them (unless that's a part of the agreement).
- Don't leave marks (unless that's a part of the agreement).
- Always remember – you're in charge. That means the work is on your terms and on your time. Don't compromise your values or your safety. For example, if you have set a limit at no contact, or no GFE (Girl Friend Experience), don't let the customer convince you to change your mind in the middle of your session.
- Maintain healthy boundaries – they are a client, not your boyfriend /girlfriend. Respect that they have a life outside of you.
- Do not treat clients with contempt because of their appearance, their age, their race, their penis size, the length of time it took them to reach orgasm.
- If you treat clients well with all your heart, they can feel it.
- Know your own personal boundaries and communicate these clearly to your customers. Do not let customers persuade you to go beyond the boundaries you have set for yourself. Do not let other workers' personal boundaries influence your own behaviour.
- Do an interview to find out his interests or if he has disabilities (joint problems) before the session starts and let him know your protocol – meaning how you will behave.
- Make sure your client has a safe word or hand movement if gagged.
- Be personable. Sometimes they want to talk.
- Don't clock watch
- Treat your client with honesty as far as what is consistent with the entertainment and fantasy aspects of the service.

### *Conflicts with Customers*

*“All of the conflicts were arguments over what sexual services I would not offer, and also because I refused to give out personal information (phone number, email, etc) or meet my clients outside of work.”*

*“I created a ‘fictional life’ for my companion persona. I always use those stories. If excessive questions are asked, I usually say, “Why are you asking?” I keep turning the questions back on people who ask questions.”*

Conflicts with customers are inevitable, as they are in any service industry. Some customers will pester you for services you don't offer, try to talk you down from your price, and/or try to control you in some other way.

If you show up to a date and your booking staff misguided him about your appearance, you are about to experience a conflict. If a guy from front row yells obscenities during your first song, you are about to experience a conflict.

Learn to anticipate potential conflict so you are ready to respond quickly and decisively.

You can also reduce conflicts for other workers. Remember that is it not necessary to return the slander a customer spews out. There is a sex industry worker coming after you who will probably receive the brunt of it.

If you work in more than one area of the sex industry, try to keep them separate. For instance, don't offer hand jobs under the guise of exotic dancing. Or if you do, ensure the men understand not to expect that of other exotic dancers.

If you find yourself in a conflict with a client and you are having trouble getting control of the situation, ask the client to stop the behaviour in question. If you work in an establishment with security, you may choose to have the client removed. If you are working alone and the client is drunk or abusive, end the session and leave immediately.

Be very alert as to how you are treated. If you can see that a customer is trying to disrespect you or demean you, end the session and leave immediately. Say, “I am unable to proceed with this appointment.” If you work for an agency, request not to see that person again. Always try to network with other sex workers to inform each other of “bad dates.”

Web cam work frequently results in being verbally abused online. The free chat option allows haters unlimited access to sex industry workers. The best thing to do is to ignore them and stay smiling. Nicer clients will surely come to your defence, or would rather book a show.

Don't waste your time with the jerks. And, make sure you can debrief with someone, as verbal abuse against sex workers is a hate crime and can be very demoralizing.

### **Talking to Customers**

Try not to say “no” or use words that make the client feel judged. Avoid conflicts that stem from a client’s guilt or shame. For example, instead of saying “no” to anal intercourse, say something hot and cliché like “I want to feel your cock in my pussy.”

Figure out what services you’re comfortable with and make sure you know how to communicate this in an assertive, but non-aggressive way.

Clients don’t like hearing “no” or seeing that a worker is uncomfortable or tense. It creates stress, and stress between a worker and a client can lead to violence. Try to firmly lead the client to a comfortable service experience.

Of course, it doesn’t always work since for some clients, conflict is what they are actually seeking.

#### *Drugs and Alcohol*

Working with clients while they are high on drugs or alcohol can be very challenging. Many sex industry workers refuse to work with clients who are intoxicated. In some areas, such as liquor-licensed strip clubs, you don’t have much choice.

Working with someone who is drunk or high takes a lot of patience and a sense of humour. Behaving in a caring but firm manner will sometimes work. However, if the client is clearly out of control, your best bet is to hightail it out of there pronto.

If a client comes to you with coke-dick (impotence caused by cocaine use), try to suggest something other than intercourse, such as a hand job. Make jokes like, “Maybe you shouldn’t have done that last line.” Say it playfully, especially if he’s trying to blame you.

#### *What Your Clients Want You to Know*

*“Have a good show. Variety and originality are good. Be clean. Be attractive. Have fun or act like you’re enjoying yourself. Comedy is a must. Talk to patrons. Circulate the crowd. Come back again. Maybe the patron just wasn’t ready.”*

Customers want you to know they like comedy and personality. Body language is also very important. Clients like you to communicate your limits and expectations.

Good clients want you to enjoy your experience too.

Surprisingly, most customers would rather pass on business advice to you than tell you how to do your job. Clients advise you to save your money, create a future, and don’t waste money on drinking or drugs. Keep your appointments and remember that repeat business is good.

### **Chapter Four – Our Work**

This chapter explores getting started in various areas of the sex industry, what you make and what fines or fees you may be subjected to, negotiating pay and contracts, tips to make more money, and advocating for change. (Chapter Nine – Our Businesses – [www.tradesecretsguide.blogspot.com](http://www.tradesecretsguide.blogspot.com) explores increasing your income potential more deeply.)

## **Adult Film and Photo**

“Workers must be sober when signing contracts and be well enough to perform. If someone is not well, they cannot work with us as it could lead to legal issues.”

### **Getting Started**

Many models and actors get recruited into adult film and photo work through their friends or by transitioning to it from webcam work. But there are ways to get into it without knowing someone. You can occasionally find listings in newspapers and online on adult entertainment websites and classifieds sites like Craigslist.

During an interview, you are sometimes required to sign contracts, have a few naked photo shots taken, and provide ID. Before commencing work in adult film, you are usually required to produce recent STI test results.

Some modeling gigs have an online form-based application with picture uploads which begins the booking process. That may be followed by a phone interview and hopefully leads to a booking.

To ensure models are legal age, companies usually require two pieces of government issued photo ID. They may file copies of your ID with your photo(s) and the contracts you signed.

### **Job Requirements**

Adult Film companies often require mandatory STI testing. Some adult film companies will pay models extra if they get their test results, but will still work with them at a lesser rate if they don't have their papers. Adult film always requires ID.

### **What Employers Expect**

Employers prefer working with friendly, professional models and actors, who have good attitudes during a shoot.

### **Rates**

Modelling – Usually about \$100/hour  
Adult Film- Anywhere from \$250-\$1200 per shoot (1-6 hours)

### **Negotiating Contracts**

Most contracts for adult film and photo work are pre-written. Most of the negotiation room you have is to agree or disagree to your pay, and list the sexual acts or poses you are not willing to do.

When you sign these contracts you are waiving all rights to the images. You also waive rights to when, where, and how your images will be promoted, portrayed, or published.

If you are ever unsure of your rights, an entertainment lawyer can advise you.

Actors (and sometimes models) are required to sign production release forms at the close of the shoot day.

Contract work is very tricky. You sometimes find that what you're expected to do, is different from your interpretation of the contract.

### **BDSM / Fetish**

*“We only hire Dommies with prior experience, but can train certain activities when clients are not around.”*

## **Getting Started**

Like most other sex industry workers, BDSM and Fetish work can be found on the Internet, by placing ads in adult sections of newspapers and magazines, and also through fetish cultural activities.

You may be required to produce ID if you are working for an employer. Part of the interview process may also involve you posing for photos in the positions required for your particular clients. This is done to make sure you are capable of doing the work.

Whatever or whoever got you into this work, you must remain open-minded, non-judgemental, and expect to see some strange things. And know you're doing a great and important service for your clients.

## **Equipment**

If you truly have power over your clients, you don't need extensive equipment. However, ambience and equipment make for better and more diverse sessions. BDSM and fetish cover endless varieties of unusual and bizarre activities. Adult toy stores, leather shops, grocery stores, drug stores all have stuff you can buy to make your dungeon exciting.

Craigslist general and free sections are also a great place to find stuff to start up a dungeon. The hardware store will become your best friend to buy chains, o-rings, clasps and other stuff. You should buy a power drill. Remember, anything can become bondage or suspension gear in a few easy steps.

When purchasing equipment, look for high-quality, well-made items that won't break, stain or come untied, etc. You can also find supplies at clothing stores that cater to fetish or Goth wear. Or why not have a submissive make your gear for you!

## **Training**

You can access workshops for BDSM and seduction through local sex shops. However, much of your learning will be on the job, as well as the much-appreciated advice of more experienced workers and clients. You can also get a lot of information on the Internet.

## **Rates**

Rates vary from worker-to-worker. But in general, it works like this:

Domination and/or Submission - \$250 to \$500 / hour  
Cost to rent a dungeon: \$50-\$100/hour

## **Exotic Dance**

*"I expect that they stick to their commitments and that they present themselves as professionals. I prefer they pay back money they borrowed and/or repay any pre-paid ticket money if they cannot finish a contract. This is not enforced, but is well received and well respected if they do. Also, I don't proceed with legal action against them if they don't. It's more of a "moral obligation", which I hope some will have enough integrity to adhere to. I also expect that they use logic and adhere to the law."*

## **Getting Started**

There are a few different ways to get into exotic dancing. You can contact an agency or a club. Clubs that book independently sometimes publish job ads for exotic dancers in newspapers or exotic dancer magazines.

They will ask you to meet them in person, or email a photo of yourself and a copy of your license. They may ask you to fill out a short form regarding your contact information, age, physical attributes, and social insurance number (SIN).

When you go to a club for the first time, bring your license so the club owner or agent know you are of legal age and have received this training.

### **Training**

Many entertainers learn pole tricks and dance moves working in small towns with hardly any customers. Others prefer to practice walking and dancing in heels in their own homes.

If you're booked at a club for a Sunday, see if you can practice on the stage before the club opens, or if there are no customers in the bar. On Sundays, clubs usually open later. It is also the one day a week that clubs will book dancers just for the day and usually the day off for dancers who've worked Monday to Saturday.

Pole dance lessons are becoming more available. Check around to see if lessons are available in your area.

### **What Agents Are Looking For**

Agents and club owners are looking for a healthy, polished appearance, and a smile. They prefer professional, reliable, and sincere entertainers who do not complain a lot, have realistic expectations, and get along with others.

### **What To Look For in an Agent**

The best agents are kind, understanding, and supportive when you're going through a crisis. They acknowledge when your show has improved by offering you a higher show price. They defend you and your show price to club owners. And they tell it to you straight when there's a problem. The best agents do not lie to you.

Because being an agent can be extremely stressful, they are sometimes quite pushy on the phone. If you find that an agency is not treating you well, or that your bookings keep falling through, find another agency to work through until the storm passes over.

### **Rates**

*Approximate pay for exotic dancers in Canada:*

Stage shows- \$40 - \$150 per show  
Private shows- \$25 - \$40 per song  
Massage- \$5/\$15 per song  
Lap dance- \$40 and up per song in B.C.  
Stags- \$250 for 3 songs and up

*The following may be deducted from dancer's pay depending on location:*

Agency commission – usually 15%  
GST on agency commission  
SOCAN/KPAC – music royalties  
Floor fees – fees to the house for doing private shows  
Service charges – accommodations, housekeeping, phone/cable, etc.  
Fines – Dancers may be fined for missing shows and other infractions

*Other Expenses:*

“Tip out”- bouncers, bartender, DJ  
Driver fee- depends on the distance and usually is around ½ the comparable taxi fare

### **Stage \$\$ Tips**

In B.C., tips range from zero to about \$40/day

## **Your Contract**

Most dancers work on a weekly contract basis. If you book through an agency, your agent will negotiate the terms of the contract with the club. Mostly, your ability to negotiate is restricted to saying yes or no to the gigs offered, and there may be some room to negotiate your show price. If you say no to a gig, you risk getting blacklisted by that agency (that is: not getting work through them for a while).

Your contract is pre-written. If you want a higher show price, you need to haggle your show price before the contract is developed for a particular club. The more professional clubs will have you sign your contract at the beginning of your week's work. However, most of the time you will receive your contract at the end of the week when you're getting paid. Basically, you are signing it in return for your earnings.

The problem with this is that your contract may not show the same show price you originally discussed with your agency. You've done all your shows and now you're short a few hundred dollars.

Occasionally, if you are diligent with the agency, you may get your money back through a higher show price at another gig to compensate for the money you lost. But more often, you won't receive the amount you had agreed to in the first place.

Before agreeing to a club booking, ask your agent if there are any added costs for working at that club, for example, accommodation. Also, ask what the rules are around and private show quotas. Mandatory floor time involves dressing sexy and being in the bar at set day and evening times to do VIPs. A private show quota is the minimum amount of private shows you are expected to perform each week. If you do not perform the minimum of private dances and consequently tip out the amount for each show that you are expected to tip out. The remaining tip out amount will be deducted from your pay. Also, find out about club fines.

## **Negotiating Your Pay**

Exotic dancers use many different strategies when asking for a higher show price. Use these suggestions from other dancers or come up with something creative on your own.

- Go into the agency office with new promo, a great tan, and a flattering outfit. Better yet, show up on roller blades wearing exercise gear.
- Start turning down the bookings that are lower than what you want to be paid, unless it's a booking you really want and you're willing to take the cut.
- Remember that the agency works for you, but they also have to fit you into the budget of the club.
- Radiate confidence. Agents can smell insecurity.
- Ask the agent to come by the bar and see your show. Phone them mention that they haven't seen you in awhile and that you'd like them to come to the club to see your current skill level. Ask if you can buy THEM a drink. Keep it friendly, light and casual.
- Make an image for yourself – a brand – and use gimmicks to increase your popularity and make a name for yourself.
- Have your promo done professionally by talented photographers.
- Get a website.
- Buy big theme costumes and put lots of effort into your shows.
- Take photos of yourself wearing all your costumes, list all the gimmicks you have and any training or certifications (fire, poi, etc), and take photos of some of your more difficult moves (flexibility, pole work, etc). Write a small bio with your stats, titles, and put it all together to give to agencies.
- If a club owner was happy with your work, ask them to mention your shows to the agencies.
- Buy club owners a drink and ask if they'd request you back.
- When working, sit with customers and sell private dances. Emphasize to the agents that you hustle between shows. The money you make for the bar doing VIP's is a strong justification for a raise.
- Make sure you're tanning. Pale complexions sometimes make you look sick under stage lights. A tan will help you look healthy (spray-on or booth).
- Dye your hair blonde.

## **Sex Work In-door**

### **Getting Started**

To find work through an escort agency or in a massage parlour, you need only look for adult ads in the back of the newspapers or online at one of the popular classifieds sites. You may be asked to email photos of yourself to the employer.

Your in-person interview will be focused on how the business operates and what services you are willing to provide. You will likely provide your stats and your work name. You may have to identify any physical 'flaws' you have.

You may have to provide a copy of your license to the business owner in order to demonstrate you are of legal age.

### **Training**

The business you work for will usually train you on how to charge for extras and what ever else you need to know for working with the company. But seduction techniques, performance skills, and health and safety education is not normally provided.

You will learn these things from other sex workers. Many things you will learn the hard way from experience.

### **Working for an Employer or Agency**

When you work for an agency, the agency takes a cut of the money you earn. In return, the agency maintains the suite (if applicable), books the jobs, and takes care of the advertising and promotion.

Massage parlour work is run in a number of different ways. You may work for tips. You may get a percentage of the call. Or you may get paid only for extras beyond the cost of the massage.

### **Rates**

Here is an example of a pay scale at an escort agency:

You get \$180 for in-house with \$65 going to the agency. Your first call of the day includes a book-on fee of \$10. Some agencies also charge supply fees such as a \$10 per month condom fee.

Agencies usually have an often-used fining system too. You can be fined for a missed shift (\$100), a missed call (\$50), or having your phone turned off when you're on-call (\$45).

Workers generally earn anywhere from \$2000 to \$20,000 per month.

Independent escorts earn between \$150 and \$500 per hour depending on the services they offer, who their clientele tend to be, and what their expectations are financially. You have the benefit of setting your own rates but it's wise not to undercut other escorts by charging less than them. Undercutting can lead to a reduction in pay for everyone, if clients start expecting lower rates.

### **Web cam**

#### **Getting Started**

There are many different ways someone can work on the Internet. You can use an external pay site, where the business takes care of all the advertising, promotion, customers, etc. You just book on for certain hours and get a paycheck.

You can work at a video site where you tape the performance then send it to the web company; or shoot the videos with the company and they upload them to the site.

You can get your own web cam and website, and/or set up a chat site (interactive). Or you could set a camera up in your room all day/night (or certain hours) for subscribers to check in anytime while you just do what you normally do (voyeuristic).

Be warned that anything you put out there will potentially be in cyberspace FOREVER. So be careful, decide on your own boundaries, and stick to them. If you don't want to show your face or otherwise disclose your identify, there are tons of creative ways around it.

It takes time to build up a fan base with web cam work, so don't get discouraged if it seems like you're not busy at first. There are a lot of sites out there, so do something to set yourself apart. If you have a certain thing that you like to do or are good at, that will help. The more you tease and draw out the performance aspect of your work, the more worked up your customers get (and the more money you make).

### **Increasing Your Revenue Potential**

Do your research. What's hot right now? What are the current trends out there that are getting lots of hits? Bubbles and balloons? Super heroes? MILFS? Take advantage of them, or create your own new ones.

If you're artsy, get creative with lighting and angles. What's your sexiest body part? Play it up! Appeal to that really kinky fetish your viewer didn't even know he had. Deep down, everyone's fantasies are kinky. Personalize your online character, so your fans will keep tuning in to see what you're up to. Have fun with it.

If you are a live Internet sex worker who engages with your customers in a chat room or cam2cam (the client is also on a web cam so you can see each other); be aware, some of your viewers will try to get you to give them freebies. If you want, you can use this to your advantage, but use it sparingly so you're not giving it all away for free. You might lose your audience too soon.

In a chat room, don't spend too much time chatting. Try to get them to buy shows right after they tell you what they want.

If they can see you and chat with you before they pay, focus the camera on your cleavage. They may not get turned on just seeing your face.

Another tip is to cover your feet. There are many foot fetish clients. If they can see your bare feet for free, they have no reason to buy a show.

### **Rates**

Pay rates are usually by the minute, and there are different rates for video feed or live chat. You can also go with a membership, where the customer pays once, or it comes off their credit card monthly.

If you work for an external pay site, you book on for certain hours and get a paycheque.

For many companies, if you are doing a duo, the shows cost the same so you end up sharing the daily wage. Check this out beforehand for sure.

Web cam work usually pays about \$60-\$100 an hour

## **For Sex Industry Business Owners**

The following is offered as specific and practical advice for:

- People who wish to open a business within the sex industry,
- Improving or reaffirming your image as an already established business among industry members,

- Increasing your earnings, and
- Being an ethical employer.

Companies that treat their workers well and provide safe and sanitary workspaces make more money because the customers keep coming back for the happy workers. A business owner who adheres to these basic principles and provides workers access to resources, is considered safe and ethical.

Some things won't apply to your particular business. Be sure to read the following sections of our online resource- Trade Secrets- [www.tradesecretsguide.blogspot.com](http://www.tradesecretsguide.blogspot.com) Chapter 9 – Our Businesses – for additional business advice. See Chapter 8 – Our Rights and Responsibilities – for legal topics relating to your particular business.

### **Establish Good Hiring Practices**

- Ask to see a workers “Adult Entertainer” license or for government issued photo ID to determine legal age. (Passport, driver’s license, provincial identification.)
- Discuss limitations and expectations.
- Explain how the pay works and what the worker should expect to earn.
- Answer any questions the worker has about policies or pay.
- If you do not hire (or if you fire) someone and they ask you why – tell them honestly in a respectful manner. Example: “I’m sorry but I’m looking for someone with larger breasts.” We can take the truth easier than wondering what it was that turned you off.

### **Be Fair**

- When making rules for workers, consider the consequences for us.
- Please don't require your workers to be on-call for free (mandatory floor time included) during our time / days off. It's difficult enough for us to make plans with family around our “fake” jobs without having to cancel at the last minute all the time.
- Booking staff need to be paid a wage, especially on the shifts that are slow, so they don't have to take chances on calls and worker safety in order to make money.
- Avoid hierarchies by treating all of your workers equally.
- Try not to overcrowd a schedule. If there are too many workers on a shift, some of us won't make any money.
- If we are usually on time and reliable, consider not fining us when we make a mistake. Even the most professional worker makes an occasional mistake.

### **Train Workers**

- Train us in the practices of your particular business.
- Go over all the details of an adult film shoot and ask us if we need clarification and training regarding certain activities. Make sure we understand and consent to the activities before the shoot, and make sure we are 'work-ready'.
- Purchase or create your own sex education training DVD's that teach work skills (like pole dancing or performing fellatio), as well as health and safety practices. Have us watch these videos during work hours. Or provide them to us to keep.
- If we are frequently dealing one-on-one with clients, book someone to come in and teach us conflict resolution skills. You can often find workshops like these for free through sex worker-run organizations.
- Train your workers on what to do in the case of a raid. Let us know our legal rights.
- Make sure workers and support staff are aware of resources available through the Trade Secrets Occupational Health and Safety Training, safe sex practices and what to do in the case of witnessing exploitation.

***Knowledge and information are key to sex industry safety and stability!***

### Be Ethical

- If we become too ill to work, don't deny us pay for the work that we've already done.
- Be truthful in your advertising. Don't offer services you know I'm uncomfortable with, (ex: BBBJ or Greek). Don't say I'm younger than I am. Don't say that I am different nationality than I am. If a client is misled, he can become violent. Please don't risk my life for someone who probably won't call back after this.
- Provide worker's insurance and don't blacklist us if we get hurt and make a claim. Our industry will be more legitimized and therefore more accessed by people who formerly avoided us due to the perception we're all being exploited.
- If a worker requests for you to take down photos because he or she has left the industry or is involved in a custody battle, or something like that; please do it. Our lives change and sometimes we don't want the stigma of our past to disrupt our present or future.

### Be a Good Neighbour

- If a neighbour is upset or has a complaint, try to be as polite and accommodating as possible. Sometimes once people meet us and see we are reasonable people, they have a change of heart and are not as offended by our way of life. This works especially well if we address their complaints.
- Keep signage as discreet and mainstream-friendly as possible. Many people are worried about children or are offended by suggestive wording and explicit ads.
- Take part in your local business improvement association. This can soften other business owners about sharing space with your sex industry business. It will allow you to meet with and hear concerns from other business owners and possibly avert any potential problems or misunderstandings.

### Engage and Support Workers

*“Thank you for providing such a safe, luxurious place for me to work.”*

- Have meetings with your workers and be open to our complaints and concerns. Engage us with respect and make us feel safe, included, and heard.
- Offer an advice column on your website or send out emails with helpful information to us. Offer to answer questions through email, if you don't work face-to-face with us.
- Allow us to be involved in setting the rates. We can also collectively raise or lower our rates during times of inflation and recession.
- Allow entertainers to view ads before they go to print.
- Provide support and a person to debrief to after traumatic events, even if it's a number to call.
- Help us find lawyers if we're busted even if it's just a number to call.
- Make the common rooms for workers nice. Have comfortable furniture to lie on, adjustable lighting for reading or napping, a fridge and some kind of cooking device, a television, and some reading materials. It shows us that you care about our comfort and well-being.

### Be Open to Customer Feedback and Concerns

*“We regularly ask our customers for feedback and often apply that to future shoots.”*

- During the booking process, find out what the client specifically wants from his experience. Ask a customer what activities he/ she enjoys.
- Provide a contact form on your website for customers to give feedback and try to respond to them all.
- Provide a very discreet service without compromising the safety of workers or clients.

## **For Support Staff**

This portion of the sex industry licensee program manual is specifically targeted to a whole group of people in our industry that we never hear from. Our coworkers are rarely talked about. Yet, many of them share the same stigma we do, for just being a part of this industry. They keep their jobs secret, experience violence, and the industry could not go on without them.

If you are considering a job as a sex industry support person you will be expected to read and understand ALL the information provided in this manual. Your knowledge and ethics will be key to ensuring the safety of the sex industry workers you support.

While the following information is specific to some of the more common sex industry support positions it can apply to any jobs where the safety of the sex industry is a factor.

### **When you apply for a job**

When choosing a sex industry business to work for, you should take note of several key factors to ensure your emotional and physical safety;

- Is the business licensed and accredited under the new by-law provisions?
- Are they a long standing business known to be a safe and stable working environment?
- Is the office or work space clean and professional looking?
- Did they openly answer all of your questions?

When you are called back for an interview, business owners will be looking for specific characteristics in an employee and so you should be sure to;

- Dress professionally
- Be polite and respectful
- Be on time!!

### **Human Trafficking/Exploitation of youth**

#### **What if you witness Human Trafficking?**

If you witness working conditions in which you think a sex worker may be the victim of human trafficking, PLEASE REPORT IT!! Most Sex Industry workers are working by their own choice but want you to know we do not support the exploitation of youth or any person. As a support staff person you are expected to report it to your employer or confidentially through;

#### **Crime Stoppers**

**1-800-222-TIPS (8477)**

[www.solvecrime.ca](http://www.solvecrime.ca)

#### **Vancouver Sex Industry Liaison Officer**

Lynda Malcolm- cell 604-516-9854.

[linda.malcolm@vpd.ca](mailto:linda.malcolm@vpd.ca)

#### **Office to Combat Trafficking in Persons**

Robin Pike, Executive Director

[Robin.E.Pike@gov.bc.ca](mailto:Robin.E.Pike@gov.bc.ca)

(011) 1-250-953-4969

[www.pssg.gov.bc.ca/octip](http://www.pssg.gov.bc.ca/octip)

How do I recognize human trafficking?

- The sex worker may seem reluctant or unwilling, under duress
- The sex worker may speak very little or no English
- The sex industry business is not located in a legitimate commercial property

- The work space is dirty or un kept
- The sex worker has multiple bruises on their body
- It seems the sex workers are living in the work space and a person seems to be guarding them or collects the money on their behalf.
- The sex worker is beaten or assaulted in front of you.

We all have a responsibility to try to combat human trafficking in the sex industry. Unless we can identify and prosecute exploiters, we will never see safety in the sex industry. For more information on health and safety in the sex industry and sex industry organizing please visit;

### **DO NOT CONFRONT THE TRAFFICKER OR PIMP!!**

This can be dangerous for you and can easily become violent. Remember, these are unethical and dangerous people with no regard for the value of people.

Sex industry workers who are being exploited or trafficked also will not react in a normal way. In many cases they will defend their abuser. This is a normal symptom of abuse and is known as “Stockholm Syndrome” or “Battered Wife Syndrome”. The worker might scream or yell and if a fight takes place between you and the trafficker, the worker may even physically attack you to defend their exploiter.

You may even face criminal charges for assault as a result of a physical altercation so once again do not confront the trafficker yourself. Follow the recommendations as outlined in section 5 of this manual

The following describes some support positions in the sex industry and the pros and cons of those jobs;

### **Booking Staff/ Phone Girl**

“You will never see people the same way again. You will hear every weird sexual request under the sun.”

#### **Pros**

- The earning potential is there if you get the right shifts and are a good sales person.
- You make cash everyday so you don’t have to wait for a cheque.

#### **Cons**

- Often agencies do not pay a wage to booking girls so when you can’t book any appointments, you make nothing.
- The hours can be hard, a lot of late nights.
- When you are called into action in a security capacity (if a worker is at risk or being assaulted), it can take a toll on your emotions.

#### **Workspace**

The workspace is usually an office with a computer, TV, and one or more phones. There’s also sometimes a full bathroom with a shower and a small kitchenette to warm up food.

#### **Job Duties**

- Take calls and answer questions from potential customers about rates and services. If the client is interested, take down their information – name, location, and desired time for encounter / dance / massage.
- Select and inform the worker of the booked engagement and arrange a driver / security for the worker.
- Check in with the worker to ensure safety during the engagement.
- Possibly manage other activities like delegating chores.

## **Income Potential**

Pay is based on a commission, so income potential depends on what shift you get. During a day shift you might not make anything, but on a Friday night you could make \$400.

## **Training**

Booking staff are taught security phone check-in procedures, what to do in the case of a violent incident, how to post ads online, how to speak to the clients in a way that would ensure they booked, cash procedures, and ID check procedures for workers.

## **Conflict Management**

If a worker is having a conflict with a customer, tell him / her to stay on their cell phone. Using another line, phone the client on his phone distracting him so the worker can escape.

Do not threaten the client. Speak in a calm and level voice. If he is inconsolable and you fear for the workers safety, do not hesitate to phone the police. Inform the client you have done so and once again speak calmly. Try to keep him on the phone until the police arrive and you are sure the worker is safe.

## **Job Stress**

There are stressful aspects of this job. You work strange hours and may end up sleeping on your days off.

- You may feel somehow responsible if an entertainer experiences violence.
- When workers don't answer their phones and you have booked them a call, it means you don't get paid either.
- If the agency isn't making money, it might seem like the owners and workers blame you.

## **Most Dangerous Aspect of the Job**

Leaving the office with cash at odd hours.

## **Advice**

- Be patient with your coworkers and try to be fair with everyone.
- Take time for yourself, it's easy to get over-tired in this job.
- The industry is up and down so while things are good you must plan for when they are not. Always try to save some money for the dry times.
- If you feel the agency where you are working is unethical in any way - robbing clients, mistreating workers, etc – quit and inform someone of the dangerous conditions you witnessed.
- Don't lie about the workers to get a booking. It's better to build up regular clientele than to force a booking that could potentially turn violent.

## **Security / Driver**

“The only pros were the ones I was driving around.”

## **Pros**

- Keep people safe
- Flexible hours
- Good part-time job

- Meet new and exciting people

### **Cons**

- Work is sporadic. Some days are busy. Others are not.
- Can be physically demanding.
- After 2 a.m. calls are difficult – often involve clients who are intoxicated and / or using drugs.
- Safety is constantly in jeopardy.

### **Job Duties**

- Driving is usually part of the service.
- Provide protection for sex workers.
- Be there to support and debrief with entertainers after bad experiences.

### **Income Potential**

Commission. Paid by the ride. Amount depends on how far you are driving and how long the call is.

### **Conflict Management**

“I would intimidate them and show I wouldn't back down. I would use psychological warfare. Stand strong. Don't take shit.”

Try to avoid conflict and remain calm at all times. The phone can deter a violent predator if he sees you on it.

Be ready to call emergency response teams.

### **Job Stresses**

- Going to a call when there is supposed to be one client and there are ten.
- There is no medical plan. If you get shot, there is no compensation

### **Most Dangerous Aspect of Job**

When booking staff lie to clients about what they are getting. Clients think they are getting all-inclusive services when they aren't or they expect her to look different than she does. Entertainers are sent into hostile situations.

### **Advice**

“If someone throws bricks at your car, call 911.”

- Use your head and be ready for anything.
- Never leave your guard down.
- Never trust anybody.
- Use your own judgment.
- Every situation is different.
- Take days off for self-care.
- Never carry weapon.
- And don't be afraid to ask for help (call 911).

### **Strip Club DJ**

“It's not as glamorous as it looks.”

**Pros**

- Great hours
- Great money
- Great people
- Fun environment

**Cons**

- Late nights
- Meet some weird people
- Clubs are closing, jobs are scarce

**Job Duties**

- Program dancers' CDs and play music between sets.
- Announce the performers.
- Build up the crowd and be on the mic during your whole shift.
- Get the dancers on and off stage on time and ensure that everyone in the line-up is doing their shows.
- Deal with show changes, trades, and screw-ups.
- Issue fines for late shows, and keep the running of the stage out of the manager's hands.
- Fire dancers and contact agency to find replacements.

**Income Potential**

You are paid an hourly wage plus tips from the dancers.

**Training**

A DJ is trained on lighting and equipment operation.

**Conflict Management**

DJ's often have conflicts with dancers over music, schedules, and other work-related issues. They also sometimes have to kick out customers for contact and / or verbal harassment towards the dancers.

**Advice**

Don't look to this as a long-term career.

**Strip Club Server**

"I try to keep customers in check by saying 'don't be pigs' and 'respect the dancers'. I also tell girls in the crowd 'just cuz you're here doesn't mean you have to lose all class and be rude'."

**Pros**

- Good tips
- Short hours (compared to sex industry work)
- Good retirement transition for exotic dancers

**Cons**

- Lack of job security
- Lack of respect from boss (possibly)
- With patrons lack of sincerity ("you're so beautiful")

- Must work very hard – can be physically draining
- Carries a lot of the same stigma as working as a dancer

**Income Potential**

Hourly-wage plus tips.

**Training**

Training as a server helps but is not necessary as each bar has its own procedures that they will train you on. It might help you to get the job if you have a “Serving it Right” certificate. You can purchase the book at government-run liquor stores, pay to do your test, and voila! You’ve got your certification.

**Most Dangerous Aspect of the Job**

Working in an environment with not enough security when people are really intoxicated.

**Advice**

Don't walk to your car alone, especially with cash.

**13.Self Quiz**

*Not complete*

**14.Answers to Self Quiz**

*Not complete*

**15.Open book Final Exam**

*Not complete*

**Appendix Three- BC Coalition of Experiential Communities  
Opening the Doors- Discussion Document**

**Opening the Doors-  
Building transparency, stability and accountability in the sex industry**

Labour Standards and occupational health and safety have been the rights of Canadian Workers for over 100 years. The sex industry and its workers have however never enjoyed the privileges of being acknowledged for providing a safe work space or been able to complain about dangerous conditions. This has forced the system at large to impose what it believes is right for sex industry workers with disastrous results for decades in the BC/Yukon region.

Recently the targeting of Health Enhancement Centers, inflated fears about human trafficking and increased enforcement against Exotic Show Lounges has once again jeopardized the safety of Sex Industry Workers. The need for a sex industry community inclusive process through which the sex industry can take part in governance and have input to its future and stability has never been more urgent.

This discussion document will outline what BCCEC members propose in terms of mechanisms to bring transparency and accountability to the sex industry. It is our hope that by de mystifying our industry, ensuring workers are given access to resources and the tools to make safe decisions and creating a sex industry inclusive complaints mechanism, the health, safety and stability of Vancouver sex industry workers will be greatly improved.

These processes of licensing, professional accreditation, sex industry review board development and sex industry specific inspections/ policing it is hoped will also prove that sex industry businesses are operating in a way the mainstream community can consider ethical and reveal those businesses who are engaged in unethical or illegal business practices such as human trafficking or the exploitation of youth. Creating controls through identification, prevention and intervention we hope to end trafficking or exploitation of youth or any person and to ensure ethical sex industry businesses are respected.

**Project Background and Rationale**

During the **.Developing Capacity for Change Project.**-coop development work shops, workers expressed how a trade association and a branding or certification process could support safer work conditions over all and stabilize the existing safer indoor venues that exist now. The development of occupational health and safety training was also seen as a way to give people entering and in the sex industry the tools to make safe decisions about their work. It was agreed that all stake holders including business owners and consumers should be engaged to contribute to the design of the future of our industry.

Currently a charter challenge is underway to bring down the laws governing sex work. This action will only be successful if as an industry we can prove our ability to self govern and police ourselves. In the next 10 years we must agree to respect each other and treat each other with dignity. This will be an enormous task but an absolutely necessary one none the less. If we cannot demonstrate the ways in which we have traditionally maintained the stability of our industry, the system at large will most likely impose whatever laws it sees fit and we as an industry will be faced with another disaster.

With this in mind, the BCCEW/C set out to engage sex industry workers in beginning the process and determining whether or not there is industry support for such an action and what the structure of such an organization might look like.

During the **Labour on the Margins Project**, union development work shops facilitated by the BC Federation of Labour, the following actions and recommendations emerged as common themes from dialogue with all stake holders including consumers, business owners and workers.

*Establish a consortium of sex industry stakeholders to develop an Industry Association and negotiate where there are areas of commonality. ie. violence, consumer theft, health and safety, and industry stability.*

*Develop Standardized Health and Safety Training for Sex Industry Workers and consumers in partnership with ALL stakeholders including business owners.*

*Develop and implement a certification process in partnership with all stakeholders to stabilize and promote sex industry businesses (inclusive of independent workers as businesses). Design an industry association seal or brand to distinguish those businesses that support and have received certification for the negotiated health and safety standards and training.*

*Design a complaints process and penalty system in partnership with all stakeholders to provide a system of self governance and enforcement for the sex industry.*

*Support the formation of craft unions or trade guilds for all aspects or jobs within the sex industry.*

*Establish a system of communications between the sex industry and those agencies who have traditionally had the role of policing or monitoring the industry such as the police, license inspectors and social work/support agencies to prevent misunderstandings about safety issues within the industry.*

### **Trade Secrets – Occupational Health and Safety in the Sex Industry**

BCCEC members agreed that the creation of occupational health and safety training for the sex industry was the first step towards achieving the goals outlined in the **Labour on the Margins Project**.

With support from Vancouver Coastal Health and over a period of 2 ½ years, the BCCEC facilitated a collaborative process engaging many sex industry constituencies in occupational health and safety community development activities:

The project identified health and safety risks in the sex industry in the following areas

- Workspace;
- Among co-workers;
- In dealing with clients;
- In negotiating with employers / agents etc;
- Personal well-being;
- Physical health;
- In relationships.
- Resources should a worker require them

- Legal information
- Information specific to trafficking and exploitation
- Safe sex information
- Business tips, and more!

The project is now complete and can be seen on line at [www.tradesecretsguide.blogspot.com](http://www.tradesecretsguide.blogspot.com) .

With this important project and foundation of our plans for sex industry stability complete, BCCEC members have turned our attention to moving the other actions forward.

We know historically how the elimination of employment choices and safe work environments has slowly but surely whittled away at the safety and stability of the sex industry and its workers. The lack of job opportunities caused by enforcement against us is forcing people to choose sex industry work outside of their comfort zone and contributing to increasing numbers of workers forced into the dangerous street level trade.

In conversations with affected business owners and workers the BCCEC described our industry association plans in an attempt to offer some hope. So to begin BCCEC members decided to draft Terms of reference for a national industry association and present them to the sex industry community for scrutiny, concerns and editing.

Naming the National Industry Association is a difficult task. For now the Naked Trades Association of Canada (NTAC) will be the working name.

### **Terms of Reference for Naked Trades Association of Canada**

#### ***Draft 2009***

***Sex Industry Stakeholder-*** A person who has experience either working within, providing services to, running a business in or purchasing services/products of the sex industry.

***Sex Industry Review Board-*** The sex industry is a matter of concern for all members of Canadian Society. To ensure transparency and accountability in the sex industry the CAEC propose the formation of a review committee to represent the interests of society at large. The CAEC feel that if representatives from criminal justice, health, government and a sex industry community member were to audit and monitor the activities of the CAEC, we will achieve transparency and accountability for within the sex industry.

***These Terms of Reference were created to ensure localized organizing in various constituencies across Canada have a common set of goals and processes.***

#### **Vision/ Goals:**

- To come together as an industry for the purpose of increased safety and stability for all stakeholders in the sex industry inclusive of workers, support workers, business owners and consumers.
- To empower and unify sex industry communities inclusive of all genres and genders to increase the security and stability of the sex industry.
- Build community relationships, forge partnerships, identify and engage allies and work with external expertise in pursuit of CAEC goals.
- Create a community where all sex industry stakeholders are respected and honoured for their experiences.
- To improve the occupational health, safety and capacities of sex industry professionals as employees and contractors within a legitimized profession

- To ensure consumers have access to resources, are safe engaging in sex industry consumption, can maintain discretion, are treated fairly and have clear choices for ethical purchasing.
- To protect ethical business owners from arbitrary attacks upon their honour, reputation and livelihood by law enforcement, former employees and the system at large,
- Design a process in partnership with all stakeholders to provide a system of self governance for the sex industry.
- Support the formation of craft unions, business improvement associations, consumer groups or trade guilds for all aspects, businesses, consumers or workers within the sex industry.
- To ensure transparency and to prevent abuse of Industry Association benefits, CAEC members support the formation of a Regional Government Review Board to ensure ethical industry practices are upheld and the ideals of Canadian Society respected. All CAEC locals and members will allow free access to membership information and proposed activities by the Regional Government Review Board.
- To abolish exploitation of youth or any person forced to engage in or trafficked into the sex industry.

### **Guiding principles**

- Work towards safety and respect for all sex industry stakeholders regardless of their location within the industry;
- Ensure the inclusion of diverse communities, perspectives, capacities and expertise from the sex industry;
- Promote progressive thought, forward thinking and continual positive change for the empowerment and education of sex industry stakeholders and the community at large;
- Keep harm reduction frameworks at the forefront and work toward social justice and social change to increase quality of life for sex industry stakeholders.

700 people reviewed and contributed the terms of reference and BCCEC members have formalized what will be known for now as the Naked Trades Association of Canada.

It has been acknowledged these “Temporary/ Draft Terms of Reference” are an emergency measure intended to support workers and businesses who are under scrutiny and that a far more detailed description of governance and conflict resolution will be necessary to attain our goal of inclusive governance for the sex industry.

### **Sex Industry Review Boards**

Throughout it’s work, the BCCEC have always been conscious of engaging in research or creating policies that reflect current federal standards for ethical engagement of marginalized populations. There are many sources to gather information on research ethics. A national set of guidelines that all Canadian universities must abide by is the Tri Council Policy Statement <http://www.pre.ethics.gc.ca/english/index.cfm> .

One of the requirements for researchers engaging in research involving human beings is to have the research scrutinized by an ethics review panel or board.

During consultations in regard to the CAEC Terms of Reference, mainstream community members shared concerns about provisions made to protect the confidentiality of sex industry workers stating that policies such as those proposed above do not create a transparent, open and accountable industry but rather would provide safe haven for traffickers behind the CAEC banner.

Sex Industry Workers were also very concerned about potentially being “outed” as a sex worker or exploited by a person who discovered their sex industry worker status.

To address concerns on both sides, BCCEC members once again referred to the Tri Council Policies as a guide. Just as researchers are subject to ethics scrutiny by committee, so could CAEC and sex industry activities be examined by an ethics or oversight committee or review board.

Basic terms of reference for such a committee as touched on above could ensure the mainstream community is confident that the sex industry is being monitored and our activities scrutinized and sex industry workers can feel secure that their private and personal information is protected.

BCCEC members discussed what the role of the review board would be and what processes would need to be created in order to incorporate transparency and accountability into municipal processes.

Mechanisms to create transparency and accountability are crucial if we hope to improve the health, safety and working conditions of sex industry workers.

## **Transparency**

As a result of criminalization, the sex industry is very secretive about its practices and unwilling to open up for fear repercussions from the reactions of the mainstream community. This has led to much speculation about conditions within the sex industry but no discussion on what to do about it.

Some fears are well founded and indeed some people experience exploitation, violence and/or dangerous conditions while working in the sex industry.

A little known part of sex industry culture is that older or more experienced workers become business owners and share their knowledge with less experienced workers in an unofficial word of mouth traditional training as to health and safety training in the sex industry. This tradition is disrupted by targeted enforcement actions and the casting of all sex industry business owners as traffickers and pimps. This criminalization and stigma have caused less and less older/ more experienced workers to continue as business owners for fear of social and criminal repercussions as well as losing their life savings to the “proceeds of crime” laws. This created a gap for less honourable people to exploit.

Everyone agrees that no sex industry worker should have to face the first day of work alone or without the tools to make safe decisions about their work. Ideally, every new worker should have access to the knowledge and experience of another more experienced worker in the first part of their working in the sex industry.

As a result of the less honourable element emerging in the sex industry as business owners it was also agreed that standardized occupational health and safety training was the only way to ensure workers were receiving accurate information, access to resources and the tools to make safe decisions about their work.

The systematic targeting and elimination of safe work environments for sex industry workers through uninformed enforcement actions has proven to be one of the largest contributing factors to the ever increasing risk to the safety of sex industry community members and the communities where sex work takes place.

The closure of 23 exotic show lounges within a relatively short time frame and the loss of some health enhancement centers as a result of the raids has dramatically reduced the numbers of jobs available for sex industry workers within the safer indoor work environments. This has the adverse effect of creating a highly competitive job market in which workers will pay anything to secure a job indoors and will accept lower pay or work that is “unsafe” or beyond their physical boundaries.

Exotic dancers for instance choose an area of the sex industry which does not involve physical contact. The elimination of jobs in that area means a dancer must travel throughout the region to find work (go on tour). Not all dancers are able to travel; some have children, some attend university, one dancer even has kidney disease and can only work part time and definitely cannot travel. Poverty does not evaporate and so dancers are forced to find work in another area of the industry such as escorting or in a health enhancement center. Because dancers are for the most part younger, more beautiful, more marketable; as they enter an already strained to the max job market the trickle down effect is some older and less marketable will lose their job. If the worker pushed out by the dancers does not have the means to work independently or at home, what will they do? They still need to work and make money; welfare is not near enough to survive on and so are forced to choose to work in the dangerous street level sex trade.

During the Living in Community Project ([www.livingincommunity.ca](http://www.livingincommunity.ca)) which engaged all stakeholders in designing an action plan to address the immediate issues facing communities and sex workers, residents and business owners impacted by street level sex work expressed their greatest complaints were;

- The residual mess- condoms and other garbage
- The public violence- every one agrees that the level of violence endured by survival sex workers is unacceptable.
- sex in plain view- looking out your window and seeing sex workers and customers together.
- Unwanted attention from sex consumers endured by women who are not sex workers
- And their children being faced with sex workers on the street while out in the community or on the way to school

Enforcement is largely complaints based and many of those complaints come from residents and business owners in communities affected by sex work. The irony here is the things they are complaining about are being caused by the systems response to their complaints in particular when those complaints are in reference to a legal and legitimate business and aimed at the eradication of that business solely based on it's being a sex industry business.

It's time for all stakeholders to stop, take a step back and re-examine the harmful actions of the past. The situation for residents and business owners is still degrading and sex workers are still being killed.

So, how do we distinguish an ethical sex industry business owner or worker from those who are exploitative, ensure sex industry workers have safe places to work and see safety is increased in neighbourhoods impacted by the disorderly street level sex industry.

**CUPE**- Canadian Union of Public Employees members suggested that a system of professional accreditation could provide a starting point from which ethical workers and business owners could be identified and a review board could base decisions.

BCCEC members took this under advisement and began to explore other professions that require minimum accreditation to work in that particular field. For instance- police officers must be accredited by the police association in order to work as police officers to ensure they are receiving what mainstream society considers to be appropriate training or on the other end of the spectrum a waitress must be accredited with "*servicing in right*" in order to serve alcohol.

BCCEC members agreed that parts of **Trade Secrets** could be used to create such a system of accreditation by pulling out information related to specific stakeholders roles as the training followed by an open book test to complete accreditation as is done with waitresses and bar managers in regard to "*servicing it right*".

This approach was favoured so as to not make the process too high barrier or difficult for workers or business owners wanting to take part. The idea is to make participation easy and beneficial.

**How can Sex Industry Workers benefit from a system of professional accreditation?**

- Professional accreditation in the sex industry means jobs and safe places to work. If the industry bands together behind some basic minimum standards, the greater community will no longer be able to attack business owners arbitrarily. This will mean fewer closures of these businesses and more places to work.

The systematic vilifying of business owners has led to the loss of most safe work options for sex industry workers and pushed some workers to choose work options beyond their personal physical boundaries (17 show lounges have closed in the last couple of years and forced some exotic dancers to choose other forms of sex work such as escorting) The minimum standards aspect will mean that workers can distinguish which businesses are good to work for and which may not be. The professional accreditation process will provide a tool for sex industry workers to make safe decisions about their work.

- Professional accreditation will give sex industry workers clear and concise information about their work. It will give them the tools to make safe decisions about engaging business owners, engaging consumers, safe sex, their emotional health, the law, and about finding support should they need it.
- Developing a process of professional accreditation in partnership with all stakeholders will allow sex industry workers to insure their concerns and insight are addressed and included. A trade mark signifying professional accreditation will allow workers to distinguish which businesses support safe work environments and support the minimum negotiated standards.
- Sex workers have never had a way to report unethical business owners or dangerous business practices. A balanced system of investigation and penalty tied to a system of professional accreditation would begin to stabilize the health and safety of sex industry workers and eliminate the increasing number of dangerous working environments emerging as a result of our industry being pushed further and further underground.

#### **How can Sex Industry business owners benefit from being accredited?**

- Stability for the sex industry means a business owner's lively hood and hard work will no longer be subjected to uninformed scrutiny by police, license inspectors, and so called good will groups promoting the abolition of the sex industry. History has shown us how the greater community has targeted business owners and cast them as pimps, abusers, traffickers and .organized crime.

Professional accreditation could de-mystify our industry and support longstanding businesses that have provided safe and stable work environments distinguishing them from those who may be of a less honourable cast. New business owners could also be educated on the minimum required standards and ensure a level playing field for all.

- Standardized health and safety training/ accreditation would mean business owners could prove they had provided their employees with the information necessary to work safely. Most business owners do provide training for employees and are very conscious of the safety of their workers.

However, they have never been able to demonstrate their attention to this most important aspect of the sex industry. Through a standardized training system developed in partnership with ALL stakeholders (including business owners) these ethical, safe and healthy business practices could be recognized and supported.

- Developing an accreditation process in partnership with all stakeholders will allow business owners to ensure their concerns and experience are included, that the process is accessible and within reason as far as the operation of sex industry businesses. A professional association seal would allow businesses to distinguish themselves in the market for consumers and potential employees as businesses who support safe work environments and the minimum negotiated standards..

- Sex Industry business owners have also never had a way to complain about industry workers who take advantage of their good business practices or steal clients. This would allow these problems to also face due process and protect business owners from these types of behaviours.
- Business owners would also be able to protect themselves from sex industry workers making false allegations about their business practices. A community based process of governance and enforcement would take these issues out of the hands of the greater community and prevent decisions being made by an outside party with no understanding of our history and traditions. This would mean the police, license inspectors and end the sex industry groups would no longer have the power to completely disrupt our lively hoods and jeopardize our safety.

#### **How can Sex Industry Consumers benefit from a system of professional accreditation?**

- Professional accreditation in the sex industry means that consumers will be able to engage sex workers or use a business's services secure in the knowledge that they will be treated with dignity and respect and be able to engage in these activities safely. Also, a consumer would be able to support ethical business practices and the businesses that uphold them.
- As a parallel project, educational information for consumers including new processes for lodging complaints and information about professional accreditation will be created. Because of criminalization, consumers have been cast as somehow dysfunctional, rapists, and perverts. This makes it difficult for them to ask for information about their sexual health and the risks involved with engaging in the sex industry. This will provide consumers the tools to make safe decisions when purchasing sex industry services and ensure they have access to resources should they be the victim of a crime or witness a crime; ie- human trafficking.

Also, consumers engaging sex industry workers or businesses who are professionally accredited can be assured that the workers are well versed in safe and healthy sex work practices. The trade mark and professional accreditation will allow consumers to make ethical choices in the sex industry businesses they choose to support.

- Sex industry consumers have never been able to lodge complaints about bad service or business practices except in the on-line forums where service providers are reviewed. Offences like being robbed or noticing a worker appears to be too young are difficult to report due to the stigma and close scrutiny an investigation can bring on the consumer himself.
- A community based process which ensures the confidentiality of complainants will allow this process to work without harming peoples personal lives and stability.

#### **How does the Mainstream community benefit from a system of professional accreditation?**

- Professional accreditation in the sex industry means that the greater community will no longer have to wonder about conditions within the industry or be forced to impose uninformed actions against it. Through development of minimum standards and occupational health and safety training the greater community can be comfortable in the knowledge that sex industry workers are being given the tools to make safe decisions and have safe places to work.
- The greater communities concerns are generally centralized around the street level sex trade. The public sex acts, violence, unwanted advances from consumers and condom mess reflect the lack of safer indoor jobs in the sex industry. The systematic removal of these safer indoor environments must be halted to stem the number of workers entering the dangerous street level trade. It is hoped that through professional accreditation and education, the numbers of sex industry workers working in harmful conditions will dramatically decrease.
- Professional accreditation will allow the greater community to be confident that all sex industry stakeholders have been given the tools they need to protect their health (including exiting and support services), safety and stability while engaging in the sex industry.
- A professional accreditation process and trade mark will allow the greater community to make informed decisions about any actions taken against the sex industry. Blanket assumptions about our industry and the businesses engaged in it from the past have had disastrous results for our

industry. Professional accreditation will protect those businesses who do support health and safety from being targeted and shine a light on those operating outside of accepted standards allowing the greater community to support actions in relation to the sex industry from a better informed perspective.

- The greater community has always felt the need to carry the burden of policing our industry. Through this confidential, community based process this will no longer be necessary. Businesses that go beyond what is reasonable (marketing youth, trafficking persons) can be identified and prosecuted without causing widespread de-stabilization of the entire industry.

## **Processes for Licensing and Professional Accreditation**

BCCEC members agreed that passages adapted from “**Trade Secrets**” could be expanded upon or refined to become the foundation of the processes for professional accreditation.

Using the format adapted by the “Serving it Right” licensee program manual, BCCEC members have drafted a “Sex Industry Licensee Program Manual” including a rights and responsibilities section donated by PIVOT legal society, contact information for Vancouver resources and support agencies and practical information about safely engaging in the sex industry.

BCCEC members propose making accreditation mandatory and tied to licensing. A trade mark would identify workers and business owners taking part in the licensee program to police and to sex consumers.

These processes should be translated to ensure they are language appropriate for all workers.

It was also suggested that people should be able to request “licensee program materials” via mail from the city or through sex worker support agencies such as PACE, PEERS or WISH to make the process as easy and accessible as possible.

Licensee’s could mail in their completed exam but would have to appear in person to pick up the license from the city of Vancouver business licensing desk. This is so that city staff can check a worker or business owner’s identification, ensure they are of a legal age to engage in the sex industry and issue the license and certificate of accreditation.

## **Educating Sex Consumers and promoting ethical purchasing habits.**

BCCEC members have published a first edition of educational materials for sex consumers “*for our clients*”.

Additions related to new by-laws, professional accreditation and complaints processes will be necessary to ensure sex consumers have the information they need to support ethics in the sex industry.

Sex Industry Consumers are the key to eliminating exploitation and trafficking in the sex industry. As potential income or customers they are invited into places we would never otherwise see. By making it safe for sex consumers to report exploitative conditions should they witness them, we hope to see an increase in the numbers of these cases being prosecuted.

## **Licensing/ By Law Revisions**

For these measures to work they must be incorporated into the City of Vancouver by-laws. In 2007, BCCEC members developed a series of recommendations intended to revise the City of Vancouver’s by-laws that license and regulate businesses where sex industry workers have traditionally been employed. The suggested revisions are provided in the interest of stabilizing the local sex industry, including relevant aspects of the health enhancement sector, while increasing the health and safety of both sex workers and the communities where sex work takes place.

The BCCEW/C offered these recommendations in the spirit of its Guiding Principles which compel the Coalition to work to open dialogue aimed at the reduction of harm to sex workers and the elimination of the social, economic, and political conditions that lead to the survival sex trade, sexual slavery and trafficking in persons. We note that the City's "health by law" (By-law No.6580) provides for the promotion and protection of the health of the inhabitants of the City of Vancouver.

The revisions developed in 2007, did not include additions to accommodate the ideas outlined in this report. The final by-law revisions will have to include many of the processes and policies being suggested here.

BCCEC members and PIVOT legal society discussed and over bridging "Adult Entertainment License" to be required by all people working in exotic show lounges as dancers or massage girls, in health enhancement centers, for escort services, as adult film stars or as web camera operators.

Previously, not all workers in these sectors were required to be licensed leading to speculation that workers in these sectors were under aged or trafficked. By implementing an over bridging sex industry genre inclusive license, it was felt the process could be simplified rather than different licenses for every different sex industry area.

To ensure the process is low barrier, BCCEC members and PIVOT legal society felt that an inexpensive fee would be most appropriate. \$10 was suggested.

Penalties for non compliance as developed by the "Sex Industry Review Board" should also be part of the amended by-laws to ensure people are clear on what is expected of an ethical sex industry licensee.

The following represent a draft of proposed by law additions to support the processes as described here;

**City of Vancouver By-law (XXX.0) makes completion of the Sex Industry Licensee Training mandatory for licensees (including independent workers), managers, and employees (inclusive of waitresses, bouncers, dj's, booking girls, drivers, etc)**

**The responsibility of ensuring compliance and practice of the responsible sex industry practices program is with the licensees, and should licensees not comply, they will be placing their licensing privileges in jeopardy. Where non-compliance by the licensee or any staff member is found, enforcement action will be directed at the sex industry licensing privileges.**

**This includes but is not limited to the exotic dancing industry, health enhancement industry, escort industry, adult film industry, bdsm/ fetish industry and web cam industry.**

## **Control through identification**

- All sex industry licensees must present 2 pieces of government issued ID, one picture. These will be photo copied and held confidentiality in the licensees file as proof of legal age to engage in the sex industry. Access to this private information will be strictly limited and access only granted if a threat to the life or safety of a person can be proven.
- The license and professional accreditation are the property of the person it is issued to and is not transferable.
- The license may or may not display the licensee's name. For the sake of the privacy of individual license holders, the licensee may use a pseudonym or "work name" to appear on the license.
- A grace period of 4 weeks will be allowed for workers and licensees to comply and submit their application to the City of Vancouver for scrutiny. All sex industry licensees must have submitted their application by the time the 4 weeks has passed and are allowed to continue to work during that time and until their application has been in front of the committee for approval.

## Control through prevention

- All sex industry business owners, sex industry workers, and sex industry support staff must undergo a criminal record check in order to qualify for their license. This information will be held confidential by the City of Vancouver unless it is proven a threat to the life or safety of a person.
- The criminal records check will not be a sole determining factor in license approval. Charges or records will be examined on a case by case basis and are generally intended to prevent convicted rapists, child molesters, traffickers and pimps from engaging in or being employed by sex industry businesses or workers.
- All sex industry business owners, sex industry workers, and sex industry support staff must take part in the *Sex Industry Licensee Program* in order to qualify for a license in order to ensure all licensees have the tools to make safe decisions about their work and more importantly, access to resources. The program fee is \$10.

## Control through intervention

A Sex Industry Review Committee will scrutinize individual licensee's activities on a case by case basis. The committee will work to ensure compliance by all sex industry licensees in the City of Vancouver and the elimination of human trafficking and the exploitation of youth or any person.

- All license applications and renewal applications will be scrutinized by committee. The committee membership will include City of Vancouver staff, Vancouver Police, Vancouver Coastal Health and a sex industry representative to ensure a balanced and inclusive process.
- All complaints in regard to unethical sex industry activities will be reviewed by the committee. Decisions of the committee will be held in the file of the licensee.
- All complaints will be held in the licensees file and licensees will have a chance to answer any complaints against them.
- Complaints of a criminal nature will be investigated by police.
- Penalties for breach of Professional Conduct will be decided by the committee and can range from a fine to a suspension of license and accreditation or even a permanent ban from doing business in the sex industry in Vancouver. These penalties shall also be stored in the licensees file.
- The contents of a licensees file as described above will be considered by the committee during the license renewal process and may affect the renewal application outcome.

In addition, we would like the City of Vancouver to consider the original by law revisions as far as preferred licenses, rate balancing and the removal of clearly biased and illegal by laws excluding sex industry community members from mainstream society.

All industries are subject to safety inspections and accountability, so to will be the sex industry. A man working in a factory is protected by labour law and safety regulations and factories are routinely inspected for health and safety by mainstream systems.

The BCCEC believe that the sex industry community can ensure unbiased processes are created for inspections and safety scrutiny by pushing for an inclusive process.

By that we mean, a process that includes sex industry representation at every level.

For instance, inspections could be conducted by a specialized sex industry specific community policing partnership team employing a sex industry worker and police officer and. The inspection/ specialized

policing team would have policies and working procedures defined in an inclusive process including all stakeholders to ensure maximum success and would report any problems, questions or concerns to the Sex Industry Review Board. This would ensure the knowledge and experiences of all sides are included in any decisions impacting the health, safety or job choices of sex industry workers.

The proposed review process/ review board could work as a committee including members from police, health city staff and a sex industry community representative. BCCEC members also discussed how the sex industry review board could consult on any proposed enforcement or other targeted actions that may impact stability in the sex industry and ways in which a community policing partnership car could facilitate unbiased treatment of and increased safety for sex industry workers in particular during enforcement actions.

For instance- An enforcement action meant to rescue the victims of human trafficking undertaken by the Vancouver Police. The spirit of the action was noble however not enough thought was given as to process and support. Officers entered sex industry businesses with guns drawn, threw all workers on the floor to secure the area (standard police safety procedure) and then proceeded to arrest everyone. No supports were provided, no translators (many workers targeted were non English speaking) and when workers were found NOT to be trafficked but working here illegally, they were deported. This made affected workers and business owners mistrust police and as a result of not wanting to be deported, this group will not call police for any reason.

It is hoped the review board as proposed by the BCCEC could be consulted in the future as to procedures for such enforcement actions and may have been able to fill some of the gaps and unintended harms that emerged as a result of this action and other enforcement strategies of the past.

Members agreed that reviewing past and proposed actions or procedures that could potentially create gaps or unintended harms should definitely be a part of the role of the Sex Industry Review Board.

So, some suggestions for the role of the **Sex Industry Review Boards** would be;

- To hear complaints from workers about business owners
- To hear complaints from business owners about workers
- To hear complaints from the mainstream community about sex industry workers or businesses
- To hear complaints from the sex industry community about unfair treatment by the mainstream community or public employees as a result of sex industry biases.
- To review new license applications and
- To review license renewal applications.
- To hear reports and recommendations from the Community Policing Partnership Car
- Determine penalties for licensee infractions

As is done in the restaurant or bar industries, complaints would have an affect on professional accreditation and ultimately on whether or not a license is renewed. By linking the processes together any business owner or worker exposed by complaints as operating outside of excepted standards could be more easily identified and appropriate measures taken. The sex industry specific community policing team could conduct inspections and do outreach to the sex industry community answering any question or concerns people may have about participation in the *Sex Industry Licensee Program*.

## **By Law Enforcement**

By law additions and revision alone will not be enough to ensure compliance and fair treatment of sex industry community members. A system of inspection and penalty tied to the professional accreditation and licensing process will be necessary to ensure to greatest possible outcome and impact of sex industry health and safety.

## **Inspections**

Inspections happen in every industry in Canada. Safe work spaces are the rights of all workers. The community policing partnership team, sex worker support agencies and the usual government bodies who conduct inspections in other areas can all take part in monitoring compliance and ethics in the sex industry.

New policies and procedures will have to be created to ensure fair and balanced treatment of sex industry community members during inspections. Sex Industry support agencies who already have done outreach and made connections with indoor business owners and workers would play a vital role in helping people transition smoothly into the new licensing programs in a way that ensures their comfort, confidentiality and the minimum amount of disruption.

Inspectors, the Community Policing Partnership Team and sex worker support agencies would all be required to report their findings whether good or bad to the Sex Industry Review Committee for consideration or action.

Ultimately, the sex industry review committee will be responsible for all actions and decisions arising from inspections for compliance.

## SIWSAG

The Sex Industry Worker Safety Action Group (SIWSAG)<sup>3</sup> was created in 2007 to bring together local police, sex industry workers, representatives from service-provision agencies and other community stakeholders to address the increasingly dangerous and negative conditions relating to the safety and security of sex industry workers in Vancouver. Many sex industry workers face high levels of victimization and the marginalization experienced by street-based workers serves only to exasperate the situation. In order to improve the safety of this vulnerable segment of our society, along with improving the relationships between the VPD and SIW and SIW service providers, the action group has formed to undertake collaborative work in the following key areas:

- Increasing and improving incident reporting
- Identifying predatory offenders
- Self-defense and violence prevention training
- Improvement of communication between sex industry workers and the police
- Creating professional development materials for sex industry workers and new recruits to the VPD
- Facilitating greater success in the prosecution of those who commit violence against sex industry workers
- Improving direct outreach to the sex industry

This unique, one of a kind project has the potential to significantly impact relations between police and sex industry workers, while at the same time addressing and increasing the safety and security of those who participate in this industry. Improved relations are key to addressing the overall safety of the workers, as the existing situation features the results of a history of negative relations and a basic lack of trust between officers and sex industry workers. As a result we have seen devastating cases emerge such as the Robert Pickton trial and the Missing Women's cases.

Over a series of meetings and discussions about a community policing partnership car, SIWSAG members agreed that the partnership alone did not cover the new policies and practices needed for police to effectively monitor activities in the sex industry. In lieu of the plans as outlined above, we are including the recommendations resulting from those discussions.

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<sup>3</sup>The Sex Industry Worker Safety Action group includes members from the following organizations: ASIA/ ORCHID: Asian Society for the Intervention of Aids/ Outreach, Research, Community, Health Initiatives and Development ; BCCEC: BC Coalition of Experiential Communities; Boys 'R' Us; HUSTLE: Men on the Move; PACE: Prostitution, Alternatives, Counseling and Education Society; Pivot Legal Society; West Coast Cooperative of Sex Industry Professionals; VACFSS: Vancouver Aboriginal Child & Family Services Society.

## **Community Policing Partnership Car**

Criminalization has led to a culture of mistrust between the sex industry community and the VPD. Sex workers are reluctant to report violence against them for fear of being judged and sex workers also fear being seen as working with the police and having to face reprisal from the “street” community.

During the Living in Community Project” we learned that the majority of complaints coming from residents and business owners in communities affected by sex work are nuisance related and cost a lot in police resources.

Developing a community-VPD partnership that brings together both perspectives by hiring one experiential person ( victim services trained sex industry representative) and a police officer to focus on the common goal of safety could begin to bridge these issues of mistrust, support the implementation of the plans outlined above and ensure fair treatment and support of sex industry workers during VPD operations.

The Sex Industry Worker Safety Action Group has agreed on the following goals for the Community Policing Partnership Car Project;

### **Goals**

- To provide specialized sex industry specific policing resources for victimized sex industry workers
- To connect sex industry workers to support services and organizations
- To build alternative strategies and best practices for police and communities to better cope with ancillary issues arising from the sex industry
- To consider the collateral impact on a case-by-case basis on strategies employed by the VPD when engaging sex industry workers.
- To work with residents and business owners in communities impacted by sex work to resolve their concerns

## **Best Practices for VPD engagement of the sex industry community**

### **Overall objective**

The SIWSAG also propose undertaking an evaluation of existing practices that are used to enforce the criminal laws associated with the sex industry (sections 210-213 and any other related offences). Ultimately, we hope to identify the strategies currently in use by Vancouver’s Municipal Police Department (VPD), and those recommended by the participants in this project, to create a best practices document and facilitate increased safety for the sex industry community.

### **Specific Objectives**

- We will design and host a series of workshops with each stakeholder group (specific divisions within the VPD such as Vice, Div. 2, Diversity, Major Crimes; sex industry workers; the clients; and local businesses) to identify the practices that are currently used to enforce the criminal laws related to prostitution in Vancouver.
- The workshops will outline the practices in use, any challenges faced by officers in enforcing the laws, and any institutional constraints affecting the enforcement of the criminal laws. In addition, we will identify unintended impacts of the enforcement on the sex industry community and provide a venue for discussion on how to address both the needs of law enforcement and the needs of sex industry workers.
- Upon completion of the workshops, we will prepare a discussion document containing the findings for dissemination to all participants.

- A final all stakeholders' meeting will be held to discuss the findings and create a final set of recommendations.
- Finally, we will evaluate the project and disseminate the Best Practices Document to all stakeholders, the Solicitor General, the RCMP and other local municipal police forces. Then, we will seek additional funding to replicate this pilot project with Crown Counsel, Corrections and the Judicial branches of the Criminal Justice System.

### **Professional Development Package for VPD/ City of Vancouver Staff.**

In order for these ideas to achieve their goals, police officers, licensing staff, city staff, license inspectors, etc. must all be made aware of the changes and best practices emerging, sex industry specific policing goals, the sex industry review board and its purpose, by-law revisions, etc.

Members of SIWSAG agreed that a professional development package could give officers and city staff the information and tools they need to implement the plans outlined above.

The following is an outline for such a project;

#### **GOALS OF THE PROJECT**

- To provide city staff and police officers with the tools to provide meaningful protection and access to resources for all sex industry workers, regardless of gender.
- To increase city staff and police officers knowledge of supports available to sex industry workers, issues and barriers facing sex industry worker's, and best practices for engaging with the sex industry community.
- To create a standardized presentation and package of materials for this purpose.
- To ensure that all stakeholders have the opportunity to contribute to these tools.

### **Vancouver Police VICE Division**

The VPD VICE Division have traditionally carried the burden of policing the sex industry. It is hoped that through systems outlines above, VICE will be able to better identify, target and prosecute sex industry businesses operating outside of what is considered acceptable within the mainstream community.

VICE will have access to information emerging from the sex industry review committee in terms of unethical behaviour as well as through the community policing partnership team.

It is also hoped that the Vancouver VICE division will be able to easily identify businesses operating outside of the accepted standards through a Trademark or system of branding tied to the Professional accreditation and licensing process. Businesses displaying the trademark or brand in advertising, or in business locations will be obvious as ethical and those without the trademark obvious as unknown working conditions.

The BCCEC and its members favour a soft handed approach to first time offenders, but feel this maybe a very effective way of identifying any businesses operating outside of ethical practices.

### **Penalties**

Some suggestions as far as penalties were a probation period for a person or business with a minor infraction and for those engaged in more serious complaints, complete revocation of licensing and accreditation or intensified inspections and scrutiny until the issue of the complaint is resolved.

In terms of the impact of these penalties, BCCEC members agreed that development of a trade mark as proof of accreditation/ or lack there of combined with educational outreach to sex industry consumers and workers about the meaning of the trade mark could prevent workers from seeking employment with a known exploitative business owner or prevent a consumer from purchasing the services of such a business.

The idea is to shine a light into every dark corner of the sex industry and weed out those who would exploit people but acknowledge those who support safety in the sex industry.

## **In Conclusion**

BCCEC members felt that this issue is a far reaching one and that as a group we did not have sufficient knowledge or experience to ensure the most complete processes were created.

An inclusive process for scrutiny of these ideas was favoured to give all people a chance to express their ideas and concerns.

As a next step, BCCEC members are planning a meeting of sex industry stakeholders using this document as a basis for discussion.

The BCCEC hopes that this will round out the ideas put forth here and identify any potential problems or gaps these proposed processes could create.