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By Any Other Name: The Street Sex Workers of Winnipeg

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Abstract

Prostitution is a matter that affects many in Winnipeg; most obviously, the women and girls who are exploited through street work in the north and west end communities. These women and children are disproportionately of Aboriginal descent, further marginalizing a group of people who are already disadvantaged in Winnipeg. With current revision of legislation surrounding prostitution in Canada, understanding who makes up Winnipeg's street sex workers, and how these changes affect our society, becomes the responsibility of every member of the city.

Introduction

“Sometimes you don’t even think you have skills because you think of yourself as a prostitute. And you don’t realize that you’re a mother and a friend and all that. You just have the label ‘prostitute’ on you.”

-Canadian Centre for Policy Alternatives, 2005

Mother, sister, daughter, aunty, girl, woman. Whore, hooker, call girl, ho, squaw, prostitute. All of these words are used to describe the women and girls that make up Winnipeg’s street sex trade. Between the first group and the second there is a drastic disconnection in representation of the individual based on the words used to describe her. The first group of words humanizes and the second degrades, yet the same person may be described by every single one of them. Indigenous women and girls make up a grossly disproportionate percentage of the visible sex trade in Winnipeg. An estimated seventy percent of street sex workers are of Aboriginal descent (Standing Committee on Justice and Human Rights & Subcommittee on Solicitation Laws: Sixth Report, 2006) an overwhelming statistic considering only ten percent of Winnipeg’s population identify as Aboriginal (Janzen, 2013). Further, street prostitution makes up only five to twenty percent of all prostitution in Canada, (Perrin, 2014) yet this relatively small proportion of sex work is the most heavily policed due to the majority of public complaints being targeted toward visible street workers (Pearce, 2013). Street workers make up the “lowest rung” of the hierarchy among prostitutes (Pearce, 2013) further degrading already marginalized Indigenous women and girls who are exploited on the streets of Winnipeg. Street work is “framed for a white audience as an insular problem within urban Indigenous communities” (Janzen, 2013, p. 146) perpetuating the racialization of the most marginalized individuals in our city. The profile of the “Average John” (Manitoba Justice, 2006, p. 14), representing the demand side of the sex trade, emphasizes the power imbalance between those who sell sex and those who buy sex. A four-year review of arrests related to prostitution offences resulted in information regarding who is buying sex in Winnipeg. Briefly, all were male, the majority (55 percent) of which came from outside of the inner city areas of Winnipeg. The “Average John” is summarized as a 30-39 year old Caucasian male,

married, with a job and family support system, who is financially independent, owns a car and lives in a house. A report from Manitoba Justice (2006) concludes, the behaviour of men who buy sex to be attributed to a variety of reasons, among them, “it gives them a sense of excitement, or they do it for the thrill of getting caught,” “they are looking for different sex acts that they don’t get at home,” “they are bored with their life or it is related to a mid-life crisis,” and “they do it (buy sex) because they are sex addicts,” (p. 15). Further, the sex trade in Winnipeg is intricately linked to the illegal drug industry. Manitoba Justice (2006) states “offenders who buy sex, wittingly or unwittingly, support the illegal drug trade and contribute to organized crime and related offences that occur in Manitoba,” (p. 20). Pimps or “boyfriends” who exploit women and girls on Winnipeg streets often introduce them to drugs, which creates a cycle in which they are “forced onto the streets to make money to pay for the drugs,” (p. 19). This cycle is further perpetuated by the use of violence, with 70 percent of prostituted people reporting violence from pimps, (Manitoba Justice, 2006).

It is the purpose of this paper to make the reader aware of the factors contributing to the disproportionate representation of Indigenous women and girls as street sex workers in Winnipeg. Further, to explore the legislation and strategies influencing prostitution in Winnipeg with a specific focus on street prostitution. Finally suggestions will be made regarding shifting our societal approach to sex trade workers first as mothers, sisters, daughters and aunties so that they may not be objectified or degraded by any other name.

Factors: Gender Inequality, Subordinate Place in Society, Targeted Violence

The overrepresentation of Aboriginal women and girls in Winnipeg’s street sex trade can be attributed to three main root causes—gender inequality, a subordinate place in society and targeted violence. Prostitution is defined as “the act of trading sex for money or anything else (ex: shelter, food)” (Manitoba Justice, 2006). This impersonal definition of prostitution must begin to include an understanding of prostitution as a form of “male sexualized violence” (Action ontérienne contre la

violence faite aux femmes (AOCVF), 2008, p. 23) in order to further understand the implications of the street sex trade on Winnipeg's Indigenous women and girls. A woman's right to make her own decisions about "when and whether to have sex, and with whom...is understood to be integral to women's equality with men, and to their autonomy and dignity as human persons." (AOCVF, 2008, p. 24). However, the right for all women to live "Free from unwanted sexual relations, that is, from sex that is coerced by physical force or the threat of it, by intense psychological, emotional, and financial pressure, by tradition or social expectation, or by a fear of social consequences, is still being fought for." (AOCVF, 2008, p. 24).

Prostitution involves each of these rights violations, all of them experienced by Winnipeg's Indigenous street sex workers. The patriarchal and capitalist influences in our society have wounded Indigenous women "rendering them a sexual commodity" (Gorkoff and Runner, 2003, p. 18). Patriarchal overtones allow for the gender-based inequalities necessary for the sex trade to thrive on city streets, having "profound and prolonged injurious consequences in First Nations women's lives." (Lynne, 1998, p. 2).

Racism and capitalism, along with gender inequality, are apparent in western culture and reflected in the sex trade on Winnipeg streets. Each of these factors worsens the sexual oppression of our Indigenous women, (Lynne, 1998, p. 2) confining them in a subordinate place in society. There is "a long, multi-generational history of colonization, marginalization, displacement from [their] homelands and rampant abuse" (AOCVF, 2008, p. 5) that greatly contributes to the poverty, which makes Indigenous women and children vulnerable to street sex work. Poverty, homelessness, racism and colonialism are all factors contributing to the "devalued class of women" required for the sex trade (AOCVF, 2008, p. 26) and this begins at a very young age in Winnipeg. In 2011 the average age of entry into prostitution was eleven years old, and seventy percent of exploited children were of Aboriginal descent (Pearce, 2013; Canadian Centre for Policy Alternatives (CCPA), 2005). The subordination of this population is rooted in the prolonged effects of residential schools and colonialism in Canada having lasting effects such as the "destruction of

social structures and family support systems” that has “rendered some communities dysfunctional” (Sethi, 2013, p. 211). Aboriginal girls leaving their communities to pursue education or opportunity in the urban centre of Winnipeg are made vulnerable by their place in society and lack of knowledge of social dangers. They are thought of as “ ‘willing’ to take up sex work” as a “great deal of ignorance surrounds Aboriginal culture and Aboriginal peoples’ living conditions” (Sethi, 2013, p. 212). Sethi (2013) recognizes social isolation upon moving into an urban centre to be a factor in sexual exploitation as “young Aboriginal girls who move from reserves to big cities...go to bars to ‘bridge the isolation’ and connect with other Aboriginal peoples” (p. 209), but this is also an opportunity for sexual exploitation to occur. In these cases of exploitation, substance abuse becomes intricately connected to the street sex trade. Briefly, substance abuse can be recognized as a factor in the creation of and maintenance of a young Aboriginal population vulnerable to exploitation through the sex trade. “Substance use develops into chemical dependency, which forces girls to engage in prostitution in order to support their addiction,” (Sethi, 2013, p. 215) but substance use can also be recognized as a way of dissociating from the sex acts. One street worker indicated, “sometimes you have to be stoned drunk to do it... It’s just that you can’t face [the] reality of doing it when you’re straight” (Downe, 2003, p. 56). Beyond alcohol and illicit drug use, violence is another inevitable part of the street sex trade. In Winnipeg, the North End is the most frequent location of violence towards street workers, followed by the West End—both inner city communities (Comack & Seshia, 2010, p. 207). Violence experienced by street workers comes in the form of “Bad dates” (81%)— violence perpetrated by one individual, and “street hassles” (19%)—involving a group (Comack & Seshia, 2010, p. 205). 96% of the incidents were directed towards females, while bad dates were an “overwhelmingly male activity” with all but one out of 201 incidents involving a male (Comack & Seshia, 2010, p. 205). This reinforces the gendered inequality of the sex trade, illustrated further by this description of sexual violence experienced by a street worker in Winnipeg:

“A girl was picked up by [location] by a white male, in his 40s, with salt and pepper short hair, approx. 6’0 tall, wearing silver framed glasses, he was driving a grey, 4 door car, license # [number], with a grey interior and dirty inside. He wanted a blow job, he took the girl to a warehouse by [location], there was a couch inside, after the blow job he grabbed her by the hair and put her in a choke hold and raped her vaginally and anally.” (Comack & Seshia, 2010, p. 208)

In a six-year study from 2002 to 2007, Seshia and Cormack (2010) found that of the 179 reported incidents of “bad date” violence towards Winnipeg’s female street sex workers, 58% involved sexual violence such as that described above. Other forms of violence included verbal (42%), physical (74%) and economic (33%) with clear overlap between each. The view that those who work on the streets are undeserving of respect is perpetuated in Winnipeg streets. When paired with the debilitating racism towards the Aboriginal population, a violent attitude toward bodies of street workers is accepted, these bodies merely seen as “sexually violable and ‘rapable’ ” (Janzen, 2013, p. 147). The rape of bodies that are considered inherently impure or dirty simply does not count in this culture (Janzen, 2013, p. 147). One experiential woman describes, “what rape is to others, is normal to us” (AOCVF, 2008, p. 24), another mentioned some clients specifically seek out “squaw sex” (Pearce, 2013, p. 202). Aboriginal heritage results in a different experience for the sex workers, as well as children exploited on the streets. Discrimination and racial slurs exacerbate the verbal and physical attacks, particularly children, for whom it is already difficult to “[fit] into society as both sexually abused and culturally marginalized” (Pearce, 2013, p. 202). Upon realizing some of the factors contributing to the high prevalence of Indigenous women and girls in Winnipeg’s street sex trade, these people become humanized and given a story. It is hard to ignore that prostitution has become the face of poverty for these women (AOCVF, 2008) and how the young Indigenous population in urban centers is particularly vulnerable. Violence is equated in forms of sexual, physical, economic and verbal abuse and its affects are understood as a perpetuation of the “male sexualized violence” which defines prostitution, particularly on inner city streets.

Canadian Legislation Regarding Prostitution: How it Affects Winnipeg Street Sex Workers

The Canadian criminal code as of 1985 recognized offences related to prostitution, but the act of selling sex or buying sex from another “consenting” adult remained legal. Consenting is placed in quotations to recognize the controversy around the word as it pertains to the use of sex as a commodity.

The Criminal Code (1985, c. C-46) identifies under section 210 the keeping of a bawdy-house to be an indictable offence resulting in imprisonment for up to two years. Related to this, section 211 makes knowingly providing transportation to a bawdy house an offence. Further, section 212 criminalizes procuring illicit sexual intercourse and prostitution, as well as making a living off the avails of the prostitution of another person an indictable offence, the offender liable for up to ten years in prison. Living on the avails of prostitution of a person under the age of eighteen results in a minimum sentence of two years— five years should the offence be considered “aggravated.” In either case the maximum sentence is fourteen years.

Minimum time in prison of six months is served by individuals who obtain for consideration or communicate with anyone for the purpose of obtaining for consideration, the sexual service of a person who is under the age of eighteen years—the maximum sentence being five years. Further, section 213 prohibits communicating in public for the purpose of prostitution. This section has resulted in sex trade workers being arrested more often than those purchasing sex on the streets, (RESOLVE, 2007) creating compromised relationships between street workers and authority figures. Further, “women convicted of communicating tend to be sentenced more severely than men” (Pearce, 2013, p. 132) and “39% of women convicted in 1993 or 1994 were imprisoned, compared with only 3% of men” (Pearce, 2013, p. 132). Although the statistic is dated, it demonstrates the dramatic inequality between the two parties involved in communicating for the purpose of procuring sex.

On December 20, 2013 the Supreme Court of Canada saw *Canada (Attorney General) v. Bedford* (2013, SCC 72) result in the legislation described previously be challenged by three women, Terri Jean Bedford, Amy Lebovitch and Valerie Scott, all

having experience as sex trade workers in Canada. The current legislation was said to “prevent people engaged in a risky—but legal activity, from taking steps to protect themselves from the risks.” (Canada v. Bedford, para. 7). The laws were challenged with the question of whether anyone’s “life, liberty or security of the person” in accordance with the Charter of Rights and Freedoms (1982) (S.7) was denied by them.

In the same way that the challengers in the Bedford case find the laws unconstitutional, prostitution, when understood as perpetuating gender inequality, violence and discrimination against the Aboriginal women and girls on our streets can be understood at its core as a violation of section 15 of the Charter of Rights and Freedoms, (1982) which states:

“every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law without discrimination and, in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability.”

Canada v. Bedford resulted in section 210 as it related to prostitution and parts of section 212 and 213 to be declared inconsistent with the Canadian Charter of Rights and Freedoms and therefore they became void. While recognizing the regulation of prostitution to be “a complex and delicate matter” (Canada v. Bedford, para. 73), parliament was advised to “should it choose to do so, devise a new approach, reflecting different elements of the existing regime.” (Canada v. Bedford, para. 73). Because the regulation of prostitution is of great public concern, the decision to void the laws was suspended for one year so as not to leave prostitution unregulated in the country.

On June 4, 2014, the House of Commons saw The Honorable Justice Minister Peter MacKay introduce Bill C-36, titled Protection of Communities and Exploited Persons Act, further described as an Act to amend the Criminal Code in response to the Supreme Court of Canada decision in Attorney General of Canada v. Bedford and to make consequential amendments to other Acts (Bill C-36, 2014). The Honorable Justice Minister Peter MacKay, as quoted by the Canadian Broadcast Corporation (CBC) stated “Today our government is making prostitution illegal for the first time”

(Mas, 2014). Bill C-36 is summarized as legislation that will “make it illegal to sell sexual services in public spaces where persons under the age of eighteen could be present” and to “target johns and pimps who sell and profit from prostitution, rather than prostitutes themselves” (Mas, 2014). Other important aspects of the “made-in-Canada” model include: criminalization of advertizing sexual services, increased penalties regarding child prostitution, and the provision of \$20 million to fund exit programs for those exploited by the sex trade (Mas, 2014).

The proposed legislation was met by a variety of reactions. Calgary Police Chief Rick Hansen showed support of the changes recognizing the potential positive effects on communities. Being “pleased the bill would crack down on street level prostitution where children could be present” he is quoted by the CBC asking, “What community wants the message sent to young people that prostitution is ok?” (“Calgary police chief”, 2014). Other reactions reveal a different opinion of proposed Bill-C36. Lawyer Katrina Pacey communicated concerns that the legislation will result in sex workers going to jail and claims “the minister has found ways to limit all of the safe ways for sex trade work” (Mas, 2014).

Alaya McIvor, a Winnipegger who has been in and out of the sex trade for almost 20 years indicates concern regarding the proposed legislations effect on the sex trade on Winnipeg streets. Her concern stems from the laws making it illegal to sell sex in a public place where a child may be present. Recognizing the high rate of street sex work in Winnipeg, those involved are made vulnerable to arrest as a child may be present “anywhere.” McIvor is concerned that the women on Winnipeg streets will not be protected (“Winnipeg sex trade”, 2014). In response to concerns such as this, The Honorable Justice Minister Peter MacKay presents the new legislation with the intent to make exiting sex work a possibility and not being to “target those who sell sex” (“Winnipeg sex trade”, 2014). The pledge of \$20 million dollars to assist those exiting the sex trade reinforces this.

Winnipeg already has strategies in place that support the proposed legislation and should be further reinforced by The Honorable Justice Minister Peter MacKay’s shift in legal terms to target those who sell sex. The Winnipeg Police Service enforces consequences for exploiting sex workers including vehicle seizure,

suspension of drivers license as well as fines and imprisonment. There is also an option to divert to a Prostitution Offender Program at the expense of the exploiter (Winnipeg Police Service, 2013a). The Prostitution Offender Program's are also known as John School's, and provide an opportunity for education and remediation.

Additionally, action from the Winnipeg Police Service includes the launch of a Counter Exploitation Unit (CEU) in November of 2013. This dedicated two-person team is meant to "work with the community in addressing sex trade related concerns, foster relationships with sex trade workers," and "promote development of trusting relationships between police, sex trade workers and community members" (Winnipeg Police Service, 2013b).

The CEU supports the goals of the previously described proposed federal legislation, by partnering with a number of government and non-government agencies, which assist sex trade workers in getting off the streets. Further, there is a focus of the CEU on identifying and apprehending those who exploit vulnerable persons as well as on "addressing community concerns related to the visible sex trade, working toward sustainable solutions and creating a culture of safety" (Winnipeg Police Service, 2013b). One of the CEU members, Detective Sergeant Darryl Ramkissoon, describes, "We knew these women were being victimized to begin with. With us arresting them, we were just re-victimizing them and it...made it difficult for them to talk to the police and actually get the help that they need" ("Winnipeg police unit", 2014). He says the responsibilities of the unit are to patrol the streets, being aware of customers and asking sex workers if they were ok. Recognizing that "We have a little bit of everything, but our biggest problem is street prostitution right now," Sgt. Ramkissoon says, "Sex-trade workers are becoming more comfortable talking to police about any bad situations they've had, while the officers offer them help and access to resources" ("Winnipeg police unit", 2014).

A Shift in Perspective

"While some women in prostitution claim that it is a 'choice', the question is whether the few women who do so should be permitted to shape public policy for the many women for whom it is not a choice, and who want to leave prostitution."

Street prostitution is often portrayed as an inevitable reality of Winnipeg's inner city neighbourhoods. This perspective must change in order for the exploited individuals to be treated as equals with dignity and rights. Research undertaken in 2000 titled *Canadian Attitudes about Children in the Sex Trade* found that 47% of participants agreed that most young sex trade workers actually "chose to do it" (RESOLVE, 2007, p. 63). What constitutes an exploited individual's "choice" must be viewed as a compilation of the factors contributing to their exploitation before disregarding their lifestyle as a "choice." Recognizing the vulnerabilities that plague Winnipeg's female Indigenous population—gender inequality, subordinate position in society due to racism, colonialism and marginalization, and targeted violence—demands this "choice" be called into question. As long as society allows those who are removed from prostitution to accept the sex trade as a form of consensual commodity-exchange between individuals, instead of a form of "male sexualized violence" (AOCVF, 2008, p. 23), the exploited will be denied human dignity and rights.

The recently proposed legislation, which makes prostitution illegal as discussed earlier, supports this, but there is a greater need for all members of society to participate. Therefore a perspective change should take three main forms: first, an understanding that those who are purchasing the bodies of our inner city women and girls for sexual purposes are responsible for perpetuating their lack of equality and subordination, particularly that of the further marginalized Indigenous population. Second, individuals from all walks of life must understand that leaving the sex trade is a daunting task both for those exploited and those offering assistance in the transitioning period. Suggestions that an exploited individual can just "leave if they want to" must be abandoned and replaced with well-informed, fact-based realizations about the struggles of exiting the sex trade. Finally, realizing the necessity of education and more dialogue and action within our city regarding prostitution must be supported throughout individuals on all rungs of society.

Any basic business model follows the rules of supply and demand. The street sex trade is no different in the sense that the demand for exploitative sex acts created by men drives the street sex trade. As seen earlier, the limited amount of responsibility that is placed on men who communicate for the purposes of procuring sex (ie. only three percent imprisoned (Pearce, 2013, p. 132)) allows these men to remain faceless and slough off responsibility for their actions.

One Winnipeg man has led an effort to target the buyers of sexual services on the streets of his North End community. Signs he placed on his street read “ Stop 4 date [facebook] ur plate” (“Residents target sex trade”, 2013) and targeted the perpetrators, shifting the focus from the sex workers, onto the men who cruise down the streets in these neighbourhoods. As controversial as this man’s actions may appear to some, they represent a necessary shift of responsibility onto the men who create the demand for the street sex trade in Winnipeg. Further, when considering these men as not only perpetuating the sex trade but also the violence associated with it, a specific concern for the Indigenous victims must be considered. Aboriginal women are disproportionately targeted in assault, as they are often victimized “on the basis of race alone” (Seshia, 2005, p. 44). Further, these women “can expect an escalation of violence should they attempt to escape from their abusers” (Herman, 2003, p. 12). They will inevitably require assistance in obtaining basic needs upon leaving sex work, and exiting often takes many attempts, an overwhelming reality for those assisting women in transitioning out of the sex trade (Herman, 2003, p. 12). In Winnipeg there are various resources for women and children at different stages of involvement in or transitioning out of the sex trade. Organizations providing harm reduction to those involved on the street include Sage House, Street Connections, Ndinawe Safe House and Outreach Workers, Stepping Stones, Clinic programs, MacDonald Youth Services, and the Manitoba Court Diversion Project (RESOLVE, 2007). These projects are important in keeping sex workers as safe as possible, and opening doors for them to access options beyond the sex trade should they need to. Additional support for those individuals wanting to exit the sex trade can be accessed through Transition, Education & Resources for Females (TERF) adult and youth programs. Residential services for youth can be

accessed through Little Sisters—a service provided through Ma Mawi Wi Ichitata, Marymount and specialized foster placements. Further, there are organizations designed to “provide training and advocacy for experiential individuals who have exited and are pursuing career and advocacy goals” (RESOLVE, 2007, p. 48). These include the Manitoba Coalition of Experiential Women and Transgender, the Red River College Child and Youth Care Program and Media Awareness Initiative on Sexual Exploitation (MAISEY) (RESOLVE, 2007).

Manitoba has acted on the need for service provision as seen through the organizations discussed. This, along with the commitment of \$20 million to assisting in exiting the sex trade as outlined in the proposed legislation, demonstrates a greater importance being placed on transitioning away from the sex trade, and supporting the women who undertake this transition, rather than criminalizing them for their actions on the street.

Education regarding Winnipeg’s street sex trade is an imperative part of creating a shift in perspective. This should be done in the form of fact-based, research-driven campaigns targeting all age groups, beginning with school age children. With the young age of entry, creating a culture of open discussion around the factors contributing to transitioning into street-work, must be made a priority. Creating a culture in Winnipeg’s youth and young adults that does not allow for the perpetuation of gender inequality in the form of prostitution, that does not ignore the factors contributing to the marginalization of the Indigenous women and children in the inner city, and does not further enable the violence associated with prostitution on our streets, will happen only with adequate education. Awareness of an issue is the first step in creating change.

Conclusion

When bodies of street workers are considered sexually violable, and the women and girls who make up Winnipeg’s sex workers are portrayed as responsible for their own victimization it becomes hard to ignore the fact that prostitution is violating the human rights of these women and children. Prostitution requires the female sex

worker to take on the role of a subordinate, dominated by a male buyer, perpetuating gender inequality and male sexualized violence. It is necessary to understand the factors that contribute to the marginalization of the Indigenous population when considering Winnipeg's street sex trade. It is also essential to understand the legislation surrounding prostitution in our country and adopt a congruent perspective supporting that legislation's goals to protect victims of the sex trade and provide opportunities for these women to access the resources that they need in order to transition away from street sex work. Only when every female on the streets is humanized first as a mother, daughter, sister or aunty, will the inequalities perpetuated by the street sex trade begin to deteriorate.

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