



Input for the report of the Special Rapporteur on violence against women and girls to the Human Rights Council on prostitution and violence against women and girls

Submitted By: Defend Dignity

[Defend Dignity](#) is a national organization working to end sexual exploitation in Canada since 2010. In 2015 we began offering our Survivor Support Fund to financially aid individuals who have experienced sexual exploitation. We are actively engaged in advocacy with all levels of government and educating the public. While we provide some references to works corroborating the realities we discuss, this submission is informed from our work partnering with and supporting survivors of prostitution, local and global survivor-led agencies, service providers, and non-profit organizations. We mostly work with adult survivors, however many of them were first exploited in prostitution as minors and the information below relates to both women and girls in prostitution.

Who is responsible for the perpetration of violence against women and girls in prostitution?

Prostitution is primarily a form of male violence against women and girls.

It is men who buy sex. While individual sex buyers commit violent acts, the act of buying sex itself is a violation. Many survivors have explained the physical and psychological trauma of repeated unwanted sexual encounters. Some even describe this as “paid rape”. We often hear of women dissociating – which is a trauma response – and/or turning to substances to endure encounters with sex buyers. This is the inherent violence of prostitution: men are using money to gain sexual access to women and girls.

Sex traffickers and other third-party profiteers are also perpetrators. Trafficking and involvement by organized crime is common within prostitution. While not every prostituted individual is trafficked, we cannot ignore the many who are, including those who are trafficked into prostitution as minors. The majority of traffickers are also men, although women sometimes commit this crime as well¹.

Describe the profile of those who solicit women in prostitution and whether such relations are regulated, and provide supporting data, where possible.

Nearly all sex buyers are men. Numerous international studies² examine the demographics, relationships, behaviours, and attitudes of men who buy sex. Defend Dignity commissioned research into sex buyer’s attitudes in Canada.³ This excerpt describes some of the findings:

¹ Heidinger, L. (2023). Trafficking in persons in Canada, 2022. Statistics Canada. <https://www150.statcan.gc.ca/n1/pub/85-005-x/2023001/article/00002-eng.htm>

² For example: Bitch, You Got What You Deserved!": Violation and Violence in Sex Buyer Reviews of Legal Brothels," *Violence Against Women* 24, no 16, (2018): 1887-1908, doi.org: 10.1177/1077801218757375 and Durchslag, R., & Goswami, S. (2008). Deconstructing the demand for prostitution: Preliminary insights from interviews with Chicago men who purchase sex. *Chicago Alliance Against Sexual Exploitation*.

³ Leung, R., & Gray-Beerman, M. (2023). Sex buyers’ attitudes: A study of Toronto’s online “Escort Review Board”. *Journal of Community Safety and Well-Being*, 8(1), 18–22. <https://doi.org/10.35502/jcswb.272>

“Analyzed comments suggest that TERB (Toronto Escort Review Board) members who buy sex generally ignore, consciously or unconsciously, possible exploitation or the impact on the welfare of the individual in the short and long term. Comments reveal that these members tend to focus on meeting their desires, with little empathy expressed for the person providing sex services. This research also found that the TERB online forum, like other such forums, has reinforced cultures where views (e.g., transphobia, aggression towards people providing sex services) are normalized.”

In addition to perpetuating toxic behaviours and harming prostituted women and girls, sex buyers are also driving the system of prostitution forward. Their demand for paid sex is the market that traffickers and other exploitative third-parties profit from. Detering sex buying is key to preventing sexual exploitation. Canada made the purchase of sex a crime against a person when it enacted its adaptation of the Equality Model in late 2014. Canada’s prostitution laws are outlined in the *Protection of Communities and Exploited Persons Act (PCEPA)*⁴.

How effective have legislative frameworks and policies been in preventing and responding to violence against women and girls in prostitution?

Since the adoption of *PCEPA*, there has not been a national commitment to its implementation, which undermines its impact. Presently, there is not a unified approach to training, regulation, and enforcement of the current legal framework. There is also a lack of public education initiatives and long-term investment in support services – two other key elements of the Equality Model.

Despite these significant constraints, there are indicators of positive results. After *PCEPA* was adopted, there was a significant drop in the number of homicide victims who sold sex, despite the increase in the total number of homicides in Canada⁵. There are some cities, such as Winnipeg⁶, that invest in effective sex buyer accountability programs. We have had survivors tell us that *PCEPA* has saved their lives and that they have been able to exit prostitution because of *PCEPA*. The Canadian government also funded organizations through the Measures to Address Prostitution Initiative (MAPI) for 5 years. There was a study of 2,291 prostituted individuals - almost entirely women and girls - who received support through this program. Sixty-seven percent said they were coerced into selling sex and 81% wanted to exit prostitution. Nearly 65% “reported there had been a positive change in their lives (reduced risk factors) after working with a MAPI organization.” About 21% had exited prostitution, 5% remained or returned to it, and the status of over 70% of individuals was unknown.⁷ While this study highlights some positive impacts, it also demonstrates the necessity to expand and sustain funding for exit services.

⁴ Department of Justice Canada. (2014). Technical paper: Bill C-36, *Protection of Communities and Exploited Persons Act*. <https://www.justice.gc.ca/eng/rp-pr/other-autre/protect/p1.html>

⁵ Allen, M., & Rotenberg, C. (2021). Crimes related to the sex trade: Before and after legislative changes in Canada. *Juristat: Canadian Centre for Justice Statistics*, 1-29. <https://www150.statcan.gc.ca/n1/pub/85-002-x/2021001/article/00010-eng.htm>

⁶ Pages 38-51 of this report discuss Winnipeg’s Prostitution Offender Program: Tracia’s Trust. (2019). Collaboration and best practices to end sexual exploitation and sex trafficking in Manitoba. Manitoba Government. https://www.gov.mb.ca/fs/traciastrust/pubs/tracias_trust_report_2019.pdf

⁷ Badets, N., & Wichmann, C. (2022). *A Review of the Measures to Address Prostitution Initiative (MAPI)*. Department of Justice Canada. <https://www.justice.gc.ca/eng/rp-pr/jr/rmapi-epmlcp/index.html>

What forms of violence are prostituted women and girls subjected to (physical, psychological, sexual, economic, administrative, or other)?

The violence committed against prostituted individuals is best described in their own words. One resource we recommend is "Dear John"⁸, a collection of letters written by survivors to former "Johns" (sex buyers) and to themselves. In addition, below are some of the violent acts committed by sex buyers and exploitative third parties that we hear about in the course of our work.

Physical violence: raping, choking, spitting, beating, pulling hair, exposing to diseases from unprotected sex, inflicting injuries (such as vaginal and anal trauma), branding with tattoos, forcing confinement, forcing substance use, attempting murder.

Psychological violence: threatening them and their loved ones, abusing others in their presence, using their dreams as leverage, insulting, blaming, shaming, coercing, gas lighting, isolating (from home town, loved ones, support services, health care etc.), love bombing, stalking (physical and cyber), demanding degrading sex acts, forcing criminality, exerting control (over time, actions, possessions, location, etc.), sharing intimate images without consent.

Economic violence: controlling finances and access to necessities, accumulating debt, taking income from prostitution and other sources, exploiting precarious socioeconomic status, damaging or discarding possessions, refusing to pay after buying sex.

What links are there between pornography and/or other forms of sexual exploitation and prostitution?

As we have listened to the experiences of individuals impacted by pornography, we have become aware of many connections between pornography and prostitution. Below are a few examples.

Pornography can drive men to buy sex and influence the sex acts they desire. For example., frequent pornography use can lead to desensitization and venturing to more extreme and novel content⁹. Popular pornography sites also host and promote violent content¹⁰, normalizing these practices and introducing viewers to material they may not have been seeking out. Some men turn to prostituted women to experience what they have watched. Women frequently experience sex buyers showing or describing specific pornographic scenes to act out. When men demand degrading acts in the context of prostitution – which is built on power imbalance – it's difficult for women to maintain boundaries.

Pornography is also used as a tool by traffickers. They use intimate images and videos without consent as another way to generate income and/or for advertising. Some women are sex trafficked solely for pornography production. Traffickers also use pornography to normalize different sex acts and show victimized individuals what is expected of them. Perpetrators of sexual abuse against children also use pornography as a grooming tool, and prior sexual abuse is common among prostituted individuals.

⁸ The Dear John letters were co-published by Defend Dignity and can be accessed here: <https://defenddignity.ca/dear-john/>

⁹ Wéry, A., & Billieux, J. (2016). Online sexual activities: An exploratory study of problematic and non-problematic usage patterns in a sample of men. *Computers in Human Behavior*, 56, 257-266.

¹⁰ For example, Fiona Vera-Gray, Clare McGlynn, Ibad Kureshi, Kate Butterby, Sexual violence as a sexual script in mainstream online pornography, *The British Journal of Criminology*, Volume 61, Issue 5, September 2021, Pages 1243–1260, <https://doi.org/10.1093/bjc/azab035> and Fritz, N., Malic, V., Paul, B., & Zhou, Y. (2020). A descriptive analysis of the types, targets, and relative frequency of aggression in mainstream pornography. *Archives of Sexual Behavior*, (20200713). <https://doi.org/10.1007/s10508-020-01773-0>

Finally, pornography exposure itself is a risk factor for future sexual victimization for children and youth.¹¹

How is the issue of consent dealt with? Is it possible to speak about meaningful consent for prostituted women and girls?

PCEPA approaches the system of prostitution as a form of sexual exploitation rather than a job that is freely consented to. Below are a few considerations about meaningful consent¹².

Meaningful consent must include being fully informed of the inherent risks of prostitution, including the long-term impacts. But fully acknowledging and publicly disclosing these harms is incompatible with proceeding to profit from the prostitution of others.

Children cannot consent to prostitution. Research in Canada¹³ shows that many women were first exploited in prostitution as minors.

Women also cannot consent in situations of trafficking. Trafficking is common within prostitution, but many trafficked women only identify the trafficking after they have exited and started healing.

We also cannot talk about meaningful consent in the absence of viable options – how can one freely choose without access to valid alternatives? In our work we continually witness how entering, remaining in, and exiting prostitution are influenced by many factors such as debt, poverty, housing insecurity, lack of educational and occupational opportunities, mental health issues, previous abuse, substance dependencies and involvement with the child welfare system. Indigenous women and girls are disproportionately impacted as a result of historical and ongoing injustices. They are over-represented among sexually exploited individuals, despite only comprising about 4% of the female population.¹⁴

¹¹ Gassó AM, Bruch-Granados A. Psychological and Forensic Challenges Regarding Youth Consumption of Pornography: A Narrative Review. *Adolescents*. 2021; 1(2):108-122. <https://doi.org/10.3390/adolescents1020009>

Harsey, Sarah J.; Noll, Laura K.; Miller, Melissa J.; and Shallcross, Ryan A. (2021) "Women's Age of First Exposure to Internet Pornography Predicts Sexual Victimization," *Dignity: A Journal of Analysis of Exploitation and Violence*: Vol. 6: Iss. 5, Article 1. <https://doi.org/10.23860/dignity.2021.06.05.01>

¹² Mikhaela Gray-Beerman's submission to Canadian Parliament on their review of *PCEPA* outlines a study on the experiences of individuals impacted by the sex industry in Canada. The data was gathered by Defend Dignity and insights include the complexities of choice and third-party involvement: Gray-Beerman, M. (2022). "Review of the Protection of Communities and Exploited Persons Act (PCEPA)" Submitted to: Standing Committee on Justice and Human Rights, House of Commons. <https://www.ourcommons.ca/Content/Committee/441/JUST/Brief/BR11604472/br-external/GrayBeermanMikhaela-e.pdf>

¹³ Heidinger, L. (2023). Trafficking in persons in Canada, 2022. Statistics Canada. <https://www150.statcan.gc.ca/n1/pub/85-005-x/2023001/article/00002-eng.htm>

¹⁴ The Native Women's Association of Canada. (2014). Sexual Exploitation and Trafficking of Aboriginal Women and Girls: Literature Review and Key Informant Interviews. https://www.nwac.ca/wp-content/uploads/2015/05/2014_NWAC_Human_Trafficking_and_Sexual_Exploitation_Report.pdf

What recommendations do you have to prevent and end violence associated with the prostitution for women and girls?

Listen to survivors of prostitution. Partner with and learn from survivors, support survivor-led agencies and initiatives, implement survivor advisory groups. Prioritize survivor consultation and ensure there is compensation for their work and expertise, as well as access to mental health supports.

Implement the Equality Model. Encourage States to implement and enforce asymmetrical criminalization to hold sex buyers and exploitative third parties accountable, while immunizing individuals selling their own sexual services. It is essential to train and equip law enforcement and the justice system to understand and utilize the provisions. In addition to applying the legislative framework, other key components of this model are investing in support services and educating the public.

Invest in support services. Sustaining robust, wrap-around exit services is crucial. The lack of access to these vital services in Canada urgently needs to be addressed. We started our Survivor Support Fund – the only fund of its kind in Canada - to do what we can to help, but its capacity is limited. We have given financial aid to hundreds of survivors as they pursue a path away from prostitution. We witness the positive impact of reducing financial barriers and the valuable work of service providers as they support survivors on their journeys.

In addition to exit services, invest in preventative measures and services to address the factors that drive women to prostitution and/or increase the risk of traffickers targeting them.

Commit to ongoing public education. Education is key for prevention and intervention. This includes exposing prostitution as a form of violence against primarily women and girls, the availability of services and supports, the harms of sex buying, the provisions and objectives of the Equality Model, healthy relationships and gender equality, the connection between pornography and sexual exploitation, etc. This can be done in a variety of ways, including national public awareness campaigns, integration in initiatives addressing other forms of gender-based violence, ongoing standardized sector trainings, and inclusion in age-appropriate school curriculums.

Deter the demand for paid sex. An overview of international obligations to address demand, as well as a variety of measures to do so can be found in the OSCE Office of the Special Representative and Coordinator for Combating Trafficking in Human Beings report.¹⁵

Continue to address prostitution as a form of sexual exploitation. We must refrain from accepting the system of prostitution as a form of work. Services can continue to offer unconditional and non-judgmental access to support - regardless of a woman's engagement in or views of prostitution – without denying prostitution's inherent harms.

¹⁵ OSCE Office of the Special Representative and Coordinator for Combating Trafficking in Human Beings (2021). Discouraging the demand that fosters trafficking for the purpose of sexual exploitation. *Organization for the Security and Cooperation in Europe (OSCE)*. <https://www.osce.org/cthb/489388>