

“Carceral Harm Reduction”: A Critical Analysis of the Municipal Licensing of Body Rub  
Centres in Edmonton, Alberta

by

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## Abstract

The legal regulation of sex work in Canada was fundamentally shifted by the Harper government in 2014 with the passage of the *Protection of Communities and Exploited Persons Act* (2014). Within this new legal landscape, this dissertation investigates the regulation of indoor-based sex work by exploring the 2014–2015 changes to the Body Rub Centres (BRC) licensing regime and bylaw in Edmonton, Alberta. Scholars have extensively analyzed the effect that the Canadian Criminal Code has on sex work. There is less research on how municipal regulations shape indoor-based sex work, especially in BRCs. Fewer studies have explored the regulation of sex work in the prairies and in Alberta specifically. In this dissertation, I expand on sex work scholarship and attend to how municipal bylaws regulate BRC based sex work, and the complex relationship that bylaws have with other legal regulations, including provincial occupational health and safety laws and the federal Criminal Code. Inspired by Institutional Ethnography (Smith, 1987, 2005) I used three methods to examine the organization of BRC work. These include textual analysis of City of Edmonton documents and provincial legislation; semi-structured interviews with municipal officials and bureaucrats, members of community-based organizations, and BRC sex workers and an owner; and participant observation sessions.

A key finding from this work is that a discourse of harm reduction was a central component to the amended BRC bylaw. This work illustrates how a “harm reduction” discourse was utilized and misappropriated by municipal officials and bureaucrats. This form of “harm reduction” informed how the new bylaw was written and how it is enacted. My research demonstrates that this discourse shaped the license requirements for BRC owners and workers, such as the use of inspections, and has shaped other municipal policies like the Access Without Fear policy. My work also reveals that how the bylaw is enacted increases the regulation and surveillance of BRC workers. Drawing on Bernstein (2010) I argue that how the bylaw is enacted constitutes an extension of the carceral mechanisms of the Criminal Code and extends both overt and obscure punitive bureaucratic mechanisms into the licensing regime of BRC work.

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To those who are gone, it's not goodbye—just see you later.

## **Dedication**

To all those who are missing or have been murdered. You are not forgotten.

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## List of Acronyms

AHS	Alberta Health Services
AWF	Access Without Fear
BRC	Body Rub Centre(s)
BRC Worker	Body Rub Centre Worker
BRP	Body Rub Parlour
CEASE	Centre to End All Sexual Exploitation
CPTED	Crime Prevention Through Environmental Design
ESC	Employment Standards Code
IE	Institutional Ethnography
MGA	Municipal Government Act
OH&S	Occupational Health and Safety
PIECE	Prostitutes Involved, Empowered, and Cogent Edmonton
PAE	Political Activist Ethnography
POWER	Prostitutes of Ottawa-Gatineau, Work, Educate Resist
PCEPA	<i>Protection of Communities and Exploited Persons Act</i> , also referred to as Bill C-36 (2014)
SCC	Supreme Court of Canada
SEWG	Sexual Exploitation Working Group

# Chapter One

## Introduction

It kind of like really hurt my feelings. Because I was trying to, like, work through, like, my mental health, and I was at this mental health group, and I brought up that I was an escort, and they called Children's Services on me. So, my kid doesn't even live with me right now..... It just pisses me off because my mom knows that I'm an escort. And she knows that I don't have dates over to my house when my son is there..... You know, I mean, like it's just kind of sickening how they paint us to be you know, like, for all they know, we could, we could just be like them, except we choose to get our money a different way (Current BRC worker, Discussion 16, January 23, 2019).

It would be nice if you know, people, wouldn't look to you like in a judgemental way or whatever that you're doing this, because like they don't know, they never walked a mile in your shoes, they don't know where you stand, you know, I don't know what kind of hardships you're coming through or anything like that.... So, I just wish that people could take out of their mind that you're, you know, selling sex, and just judge you on the person that you are (Current BRC worker, Discussion 18, January 25, 2019)

I am opening this dissertation with these words from two current Body Rub Centre (BRC) workers from Edmonton, Alberta because their experiences make visible the persistent stigmatization that sex workers face in Canada. Furthermore, the first quote illuminates the ways that sex workers are discriminated against and stigmatized when accessing social services and the challenges that sex workers who are parents face. These stories arose when we talked about how their work is regulated through the Criminal Code or the BRC bylaw and the potential impacts on their everyday work, or when we discussed what they wish people knew about their work. I open this dissertation with these stories in order to situate the reader alongside the everyday experiences of these workers and to orient the reader towards how their work continues to be stigmatized. With these excerpts I aim to centre the lived experiences of these workers, and to make

visible the deep emotional impacts that stigmatization has on them outside of work. The stigmatization of sex work and sex workers has continued despite the 2013 decision at the Supreme Court of Canada to strike down Criminal Code provisions related to sex work. In the City of Edmonton, BRC work is regulated and licensed through the BRC bylaw, but as the two quotes above highlight, despite this licensing regime, Edmonton BRC workers face ongoing discrimination and barriers to accessing social services. While this dissertation is not entirely about stigma and sex work, it is about how BRC work is shaped and organized.

Guided by Institutional Ethnography (IE), I examine how BRC labour is organized extra-locally through the intersection of the BRC bylaw, the federal Criminal Code, and provincial legislation such as the *Occupational Health and Safety Act* (OH&S) (Government of Alberta, 2018) (D. Smith 1987, 2005; G. Smith, 1990). In addition, I explore how this labour is organized in the local setting through the tangible requirements of the BRC bylaw, such as the requirements to obtain a BRC practitioner license. By focusing on BRC-based sex work, this dissertation reveals how this form of indoor-based sex work is organized by the intersection of municipal, provincial, and federal law (criminal code), shedding light on a form of sex work that has received less scholarly attention. In addition, by focusing on Edmonton I provide insight into the regulation of sex work in a larger metropolitan area outside of Ontario, Quebec, and British Columbia, drawing attention to a region that has been the focus of fewer studies. This helps expand the scholarly work on sex work by illustrating how sex work is regulated throughout Canada including in a Western, prairie region. I provide some historical analysis of the BRC bylaw; however, I focus primarily on the most recent changes (2014–2015) to the

bylaw. I examine both the creation and the enactment of the bylaw utilizing textual analysis alongside an exploration of individuals' lived experience bringing the new bylaw to life. This allowed me to locate the disjuncture between the written word of the bylaw and the intricacies of how it is brought to life and how it impacts BRC workers.

My work in this dissertation reveals how harm reduction was a main organizing principle in the creation of this new bylaw. I offer a critical analysis of the City's version of harm reduction and argue that they co-opt and misappropriate harm reduction principles. My work illustrates how the BRC bylaw as enacted through everyday bureaucratic mechanisms reinforces stigma-based conceptualizations of sex workers. As the two quotes above and as my discussions with BRC workers highlight, stigma is already something that impacts sex workers' families and their lives. My work illustrates how the BRC bylaw contributes to the ongoing stigmatization, violence, and criminalization that these workers face. I do so by exploring i) how the bylaw operates in connection with provincial legislation, federal Criminal Code, and other municipal policies, particularly the Access Without Fear policy, ii) how the bylaw has been organized around ideas of safety and sexual health, what I refer to as the City's idea of BRC workers' "well-being," iii) the ways in which the bylaw is racialized and connected to discourses of human trafficking, and iv) how the bylaw contributes to the regulation and surveillance of BRC workers.

In this introductory chapter, I begin by discussing my methodological and theoretical approach, and how I came to this research project and my positionality. I then briefly contextualize the dissertation by providing an overview of the history of BRCs in

Edmonton and Canada, after which I discuss key terminology used. I conclude with the contributions of this project, and an overview of the organization of the dissertation.

### **Theoretical Approach: Institutional Ethnography**

In this project I begin with guidance from Dorothy Smith's (1987, 2005) Institutional Ethnography (IE) and scholars who have used IE, such as Diamond (1992) and Nichols (2014). While inspired by IE, I have carefully crafted and adapted the approach to meet the needs of this project. IE has ontological foundations in Marxist theory (Kinsman, 2006). This approach allows researchers to map the ruling relations that shape people's everyday work (Smith, 1987, 2005). As I discuss in greater depth in Chapter Two, there are several key aspects of IE that I mobilize in this dissertation to frame my thinking and analysis. This includes D. Smith's (2005) emphasis on the exploration of everyday life, the broad conceptualization of work, investigating ruling relations, a focus on individuals' lived experiences, and the role of texts in the organization of work.

In addition to IE, I draw on work by Bernstein (2010) on feminist and evangelical antitrafficking campaigns in the United States, which articulates the extent to which these two groups of antitrafficking activists share a commitment to what Bernstein (2010) refers to as "militarized humanitarianism" and an understanding of the social steeped in carceral logics (p. 47). Bernstein (2010) emphasizes how these activists have a "shared commitment to carceral paradigms of the social" (p.47), particularly in their understanding of gender and justice. Bernstein (2010) notes that these activists have looked to carceral logics as the dominant response of the state. This is where she develops the notion of "carceral feminism." Here Bernstein (2010) discusses how there has been a shift in some mainstream feminist activism towards a politics of incarceration

(p. 47). She argues that both militarized humanitarianism and carceral feminism share the characteristic of punitive “sexual and gender politics” (p. 47). I draw on her work, but I apply it in a unique way by discussing how city officials and bureaucrats in Edmonton misappropriate a harm reduction discourse in their work with the bylaw, which contributes to the surveillance, regulation, and stigmatization of workers. Subsequently, this misappropriation adds to the ongoing criminalization of sex workers. Drawing on Bernstein’s (2010) notion of carceral feminism, I developed the concept of “carceral harm reduction” in order to offer a critical analysis of how harm reduction has been used by the municipality, and how it is enacted in a way that is distant from the politicized and radical roots of harm reduction activism. Bernstein’s (2010) work highlights how some liberal and feminist spaces have a commitment to carceral logics which allows for a symbiotic relationship with conservative-feminist anti-trafficking movements (p. 54). Bernstein (2010) notes how liberal feminists’ focus on carceral logics is articulated through a “set of ideals around gender and sexuality” (p.54).

I utilize the term carceral to highlight the emphasis placed on law enforcement mechanisms within the BRC bylaw regime. The term carceral situates the use of harm reduction within the broader context of the criminalization of sex work in Canada. Even though BRC sex work is regulated within the context of Edmonton’s Business Bylaw (Bylaw 13138), sex work is unlike other activities and labour that are regulated under this bylaw like Farmer’s Markets and Festivals, and unlike other professions like nurses, because sex work is also regulated and criminalized through the Canadian federal Criminal Code<sup>1</sup>. Furthermore, the use of the term carceral harm reduction reflects the

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<sup>1</sup> Although it should be noted that there are other forms of activities and labour both within sex work outside of BRC work and outside of sex work that are regulated under Bylaw 13138 that are also impacted

varied ways in which the bylaw has been created and is enacted and how these processes contribute in both overt and nebulous ways to the criminalization of sex workers. I specifically use the term carceral harm reduction rather than the terms criminalization or stigmatization in order to demonstrate how carceral logics are embedded and function within the bylaw, and how the City's harm reduction approach has been flipped on its head to become distant from the political roots of the harm reduction movement. Furthermore, I use the term carceral to point specifically to the logics that have become embedded in the bylaw through the misappropriation of the harm reduction discourse. With this approach, my critique is focused on the structural nature and impacts of this misapplication of harm reduction rather than on the individual bureaucrats and officials as people. I specifically use the terms misappropriate and misapplication in order to point to what I see as the often-unintended implications of this approach to the BRC bylaw. My experience talking to officials and bureaucrats revealed that their intentions were often focused on making BRC work safer, and the intent was not to cause further harm to workers. As I note in Chapter Two, my critique in this dissertation has grown out of a space of care for sex workers and their working conditions and is meant to emphasize the structural conditions that impact them, rather than the individual bureaucrats and officials.

However, I consider it important to acknowledge the carceral nature of the City's use of harm reduction, as not only does harm reduction have radical political roots, but its origins are also anti-carceral. For example, Red S. (2018) from the DSA NYC's Strike and Labour Solidarity working group has called for anti-carceral harm reduction

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by the Criminal Code. For example, Escort Agency's (Section 45-47), Exotic Entertainer (Section 48-51), and Cannabis Cultivation Facilities (Section 38.2-38.3) among others (City of Edmonton, Bylaw 13138).

strategies along with the decriminalization of sex work. They note that using these tactics would “directly challenge the whorephobia of the state and society” (Red S, 2018, par. 6). In this work, I demonstrate the carceral nature of the City’s form of harm reduction by examining the enmeshment of police in the enactment of the bylaw, and how the carceral logics extend further to include more subtle enactments such as bureaucratic surveillance, and enhanced regulation of BRC workers. I see this form of harm reduction as contributing to the ongoing surveillance, regulation, criminalization and stigmatization of these workers.

### **Methodological Approach: Exploring the Research Problematic**

After reviewing the work of Lam (2016, 2019) and Law (2015), on the role of bylaws in the regulation of sex work and my earlier work with POWER (Prostitutes of Ottawa-Gatineau, Work, Educate, Resist) my attention was drawn to the regulation of indoor-based sex work. As I reviewed newspaper articles about the bylaw change and looked at the Edmonton bylaws, my research problematic began to evolve around the question of how indoor-based sex work, and specifically how BRC sex work is organized by municipalities. I understand the objective of the “problematic” in IE is to draw attention to a particular set of questions that begin from people’s lived experiences and in how people experience the world (Smith, 1987, p. 91 as cited in Campbell and Gregor, 2008, p. 47). I draw on Smith’s (1987) understanding of the problematic as arising from a desire to understand the work that people do, and how this work and their experiences doing their work are shaped by social relations. As a result, my research interests and my research problematic (D. Smith, 1987, 2005) began with my work with POWER and a

desire to understand how indoor-based forms of sex work are organized through the social relations of law-based regulations.

With additional preliminary research, my research problematic grew into the following research questions:

1. What is the social organization of the operationalization of BRC bylaws in Edmonton, Alberta?
  - a. How are municipal governance mechanisms used to regulate indoor-based sex work—specifically body-rub parlour (BRP) or body rub centre (BRC) sex work in Edmonton?
  - b. How have Edmonton city councillors understood the role of BRC bylaws, and how do they think these regulations ought to be actualized and implemented?
  - c. How do “street-level” bureaucrats and other municipal actors operationalize these bylaws?
2. How are they connected to broader provincial and/or federal regulatory regimes-historically and in a contemporary context?
  - a. What are the key historical moments in the trajectory of their interaction?
  - b. How do municipal bylaws follow or depart from provincial municipal governance legislation and the federal Criminal Code?
3. What are the impacts the bylaws have on BRC workers and owners’ labour?

With these research questions as a guiding framework and drawing on IE and a large body of sex work research, I began my research in March 2017, where I engaged in various forms of participant observation, semi-structured discussions with BRC workers and owners, as well as with community organizations and City of Edmonton bureaucrats and officials. Over the course of a year, I collected texts related to the regulation of BRCs, and artefacts from participant observation sessions. As I will discuss in greater depth in the next chapter, these three methods of collecting data helped me gain a deeper understanding of the ruling relations that shape and organize BRC sex work. This also helped me gain insight into how various individuals are situated differently to the BRC

bylaw, and how the different relationships that these individuals had to the bylaw played a role in shaping the creation and enactment of the bylaw. For example, BRC workers are directly impacted every day by the bylaw, while some municipal bureaucrats put into action the enforcement aspects of the bylaw, and others write the policy. This method of collecting data and investigating the bylaw allowed me to not only hear about BRC workers, city officials' and bureaucrats' experiences, but to be able to understand the intricate and often invisible relations that govern and shape BRC sex work. I explore the various tensions that have arisen within the creation and enactment of the BRC bylaw, as well as the disjunctures between the bylaw and the lives of BRC workers.

### **“Square Jobs”<sup>2</sup>: Researcher Positionality**

My path from my research interests to my formal dissertation research questions has been a non-linear and emergent process over the course of my MA and PhD. My interests piqued in 2013 when the Supreme Court of Canada (SCC) deemed sections of the Criminal Code related to sex work unconstitutional and struck them down and mandated that the Harper Conservative government have one year to choose how to approach this recent change to the law (van der Meulen and Durisin, 2018). I had always been particularly interested in how the law impacts the everyday lived experiences of people, especially with regards to sex and sexuality and those who experience stigma and criminalization. From a young age, because of both personal and family experiences, I had been critical of the impacts that prisons and criminalization have on people, families, and communities. I had seen first-hand the ways in which social conditions and lived

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<sup>2</sup> Municipal bureaucrat, Discussion 1, April 24, 2018.

experiences such as health and poverty impact which people and why some people and communities experience criminalization more than others. Challenging these structures and critiquing the (in)justice system was central to how I inhabited and understood the world around me. This flowed into how I viewed sex work broadly, and how I understood the 2013 changes to the Criminal Code provisions related to sex work.

As I discussed earlier, I started learning about how indoor-based sex work is criminalized in late 2015 when I became more involved with POWER. This organization exists alongside many other sex worker advocacy organizations across Canada including Maggie's Toronto Sex Workers Action Project, PACE Society in Vancouver, PIECE (Prostitutes Involved, Empowered, Cogent Edmonton), Canadian Alliance for Sex Work Law Reform, Sex Workers of Winnipeg Action Coalition, and many more. I worked with members of POWER as a researcher to help produce a report on the implications of the police raids of indoor-based sex work locations on sex workers in the Ottawa area (Montgomery and Symons, 2016). As my work with POWER and my dissertation progressed, I grew more and more interested in how the Criminal Code and the recent amendments made under the *Protection of Communities and Exploited Persons Act* (PCEPA) (Government Canada, 2014), introduced by the Harper conservative government in December 2014 would impact indoor-based sex work. After the implementation of PCEPA (Government of Canada, 2014), I noticed news articles about police raids of sex work locations in Calgary (Stark, Calgary Herald, 2015) and raids of massage parlours in Montreal (Kacala, 2017). This is when I began to notice that massage parlour work—also referred to as BRC—was being strictly surveilled and policed in some municipalities. Around the same time, I also started seeing news articles about the

City of Edmonton amending their BRC bylaw. Despite the policing of these types of work venues, and the large body of sex work research, very few studies with the exception of Lam (2016, 2019) and Anderson, Jia, Liu, Chatter, Krusi, Allan and Shannon, (2015) have researched the ways in which BRC sex work is regulated by municipalities. There are very few projects on sex work in Western Canada, especially in Alberta and the prairie region, with the exception of Ferris (2015).

**“‘Body rubber’: A person who administers a body rub”<sup>3</sup>: Brothels and Bawdy houses**

Body Rub Centre based sex work exists alongside many other forms of sex work such as escort-based work and street-based work in Canada. Sex workers in other areas of sex work often have diverse lived experiences based on gender, type of work, income etc. (Lam and Gallant, 2018; Redwood, 2018). Based on informal discussions with sex workers in Edmonton, workers in BRCs also have diverse lived experiences including the type of work they do in BRCs, reasons for working in BRCs, length of time working in BRCs, other work they engage in, age, gender, and background. I expand on some of this in Chapter Three. In this section I briefly introduce the history of the legal regulation of indoor-based and BRC work in Canada and in Edmonton. Later in this chapter I discuss the definition of sex work and the various forms of work that encompass it, and in Chapter Three I provide a longer explanation of the regulation of this work.

The legal regulation of indoor-based sex work can be traced back to the English Common Law. This was brought to Canada and incorporated into the Canadian Criminal Law statutes (Backhouse, 1985). Under English Common Law, the “keeping of a

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<sup>3</sup> City of Edmonton (1976-1977), Body Rub Centre Bylaw, p. 1

common bawdy house”—the technical term for keeping a brothel—conceptualized brothels as a public nuisance (Backhouse, 1985). In their study of media narratives of the sex industry in early nineteenth and twentieth century Victoria, British Columbia, Hallgrimsdottire, Phillips, Benoit, and Walby (2008) found that some indoor-based sex work, particularly bawdy houses, had been described in the media as “houses of prostitution” and conceptualized within a stigmatizing discourse of sex work as morally contaminating the city. In recent years people working in brothels, dungeons, and massage parlours have been regulated and frequently criminalized through Section 210.1(a) and Section 210.1(b) of the Criminal Code (Bruckert and Law, 2013 as cited in Bruckert and Parent, 2014). These sections criminalized sex workers for “being an inmate (a resident or regular occupant) of a common bawdy house,” and for being a “keeper” of a bawdy house if they had some form of control over the functioning of the bawdy house (such as answering phones) (Bruckert and Law, 2013 as cited in Bruckert and Parent, 2014, p. 98). Even though bawdy houses and brothels have been substantially regulated and criminalized, BRC and massage parlours had been able to function and register as legitimate businesses (Pivot Legal, 2006, p. 9 as cited in Lam, 2019). In some cities like Toronto, BRCs flourished until the 1970s when the city chose to implement a restrictive bylaw regime (Lam, 2019). In their report *Beyond Decriminalization*, Pivot Legal (2006) notes that in Canada there are thousands of workers operating in licensed businesses regulated by municipalities (p. 32). However, as their report notes and as my research illustrates, despite the licenses, BRC workers continue to face criminalization.

Over the years the laws regulating sex work in Canada have been investigated and challenged. For example, in 1985, the Fraser Committee, formally known as the Special

Committee on Pornography and Prostitution, called for the loosening of the laws related to brothel regulations and licensing regimes (van der Meulen, Durisin, and Love, 2013). The Committee argued that the federal government should allow for sex workers to be able to organize their work out of a “place of residence,” and the Criminal Code should not prevent “provinces from permitting and regulating small scale, non-residential commercial prostitution establishments employing adult prostitutes” (Special Committee on Pornography and Prostitution, 1985, p. 684). While these recommendations were not accepted by the Government, in 2013 the Supreme Court of Canada (SCC) would strike down several elements of the Criminal Code related to sex work (van der Meulen et al, 2013). As a result, the legal regulation of sex work has significantly changed. In Chapter Three I discuss the historical development of the legal regulation of sex work in Canada in greater depth, including the changes introduced under the *Protection of Communities and Exploited Persons Act* (Government of Canada, 2014) also known as Bill C-36 (Government of Canada, 2014).

Despite the regulation of sex work through the federal Criminal Code, several municipalities like Toronto have licensed massage parlours since the 1980s (Clipperton, 2013). Similarly, formal reports from the City of Edmonton state that the City began licensing BRCs in 1994 (City of Edmonton, 2015); however, through archival work I found that the City has been licensing BRC workers and owners since 1976–1977 (City of Edmonton, 1976–1977). This original bylaw underwent many changes over the years, including when the City of Edmonton engaged in what they referred to as consultations with BRC owners and practitioners. This work was used to inform the BRC Task Force, which was formally established in 2014 (City of Edmonton, Community Services Report,

September 3, 2014(b)). City of Edmonton (2015) bureaucrats were instructed by city officials to begin setting up a Task Force that would examine challenges or issues that the Body Rub Centre industry faced in Edmonton (p. 3).

The licensing of BRCs had been a contentious and fraught policy debate within the City. For years, individuals within the non-BRC community in Edmonton, members of the Task Force, and individuals on city council have had varying understandings of BRC work and different opinions about the appropriate form and level of regulation (City of Edmonton, 2015, p. 3). For example, community members have organized campaigns like the “Dear John” campaign to encourage sex workers to leave particular areas of the city (Maimann, 2013). Other debates have included whether or not the mandatory identification of clients was appropriate, with certain advocacy groups taking a strong stand that clients should be ID’d (Stolte, 2017a). Over the years the city has imposed two moratoriums on the licensing of new BRC centers and workers (Stolte, 2016). Tension has existed between Edmonton BRC owners and community members for years. As one journalist reported, the review of the bylaw and the creation of the Task Force began in 2011 when community members raised concerns about the location of a BRC (CBC, 2016).

The discussion of BRC licensing has been so contentious that the topic re-emerged in September 2019, during the time that this dissertation was being written. On September 18, 2019, city council supported a motion to create a five-year strategy to move away from their current model of licensing in Edmonton due to desires in the city to decrease the demand for sex work, and the idea that sex work is exploitation (Zabjek, 2019). As a result, the bylaws may be changed yet again, which could lead to greater

uncertainty for those working in BRCs. All of these tensions, debates, and historical events have contributed to how BRC sex work is understood in the City and has shaped the amendments to the bylaw and how it is enacted.

#### **“I mean I’m a Worker”<sup>4</sup>: Exploring Terminology**

D. Smith (1999b) argues that mainstream sociological approaches have often begun with a conceptual framework such as governmentality, which are placed over topics, rather than the research being guided by discovery and inquiry (Smith, 2005, p. 50-51). As I will describe in Chapter Two, researchers who use IE often mobilize concepts, as I have throughout this piece thus far, such as ruling relations, texts, morality, stigma, and social coordination. D. Smith’s (1987, 2005) critique of mainstream sociology’s use of theoretical concepts does not preclude the work of those who use IE from being conceptually coordinated (G. Smith, 1990). The social location, the experiences, and the language and concepts that a researcher uses are crucial indicators of how they understand the world that they inhabit (Hussey, 2012). As George Smith (1990) notes, “the ethnographer’s language not only coordinates her investigative activities, but also her work down the road of writing up her analysis and sociological description” (p. 635), and as a result the research is in many ways organized within and by this researcher’s understanding of the world. Those who have engaged with feminist theory and feminist approaches to research along with those who use IE have noted: “Researchers cannot leave their own body and observe from another point” (Hussey, 2012, p. 6; see also Haraway, 1988; Ahmed, 2017). When researchers make observations and do research and

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<sup>4</sup> Current BRC worker, owner, and sex work advocate, Discussion 9, September 13, 2018.

writing, they are situated in their own experiences, which take place from a particular social location in specific contexts. As such, the concepts that I employ and the terms that I use in this dissertation are key indicators of how I view the world, and how I view sex work regulation and de-regulation.

### *Sex Work*

I have situated my research within the sex-work-as-work framework. Carol Leigh coined the term “sex work” in 1978 at the Women Against Violence in Pornography conference (van der Meulen, Durisin, and Love, 2013). Sex work encompasses both indoor and outdoor based work, which includes but is not limited to: escorting, pornography, massage parlour work, acting/performing, dancing or stripping, fetish work, phone sex work, and professional domination and submission (van der Meulen et al, 2013). Not all individuals who engage in sex work may identify or describe themselves as sex workers; following the words of the Canadian Alliance for Sex Work Law Reform (2017), I align my work with the notion that the terms sex work and sex workers are used to refer to “the consensual exchange of sexual service for money, goods, or services and to underscore our belief that not all sex work is exploitation” (Canadian Alliance for Sex Work Law Reform, 2017, p. 15). In addition, my research has focused specifically on indoor-based or incall based sex work, which can be broadly described as individuals “providing sexual services in establishments” (Bruckert and Parent, 2014, p. 97). Utilizing the sex-work-as-work framework situates this project in conversations around labour and in critiques of the stigma-based abolitionist views of sex work.

According to van der Meulen et al. (2013), the sex work-as-work framework illuminates the notion that sex work is not inherently dangerous, and that violence and

other forms of criminal exploitation are not inherent features of sex work. Rather it conceptualizes violence, criminal activities, and exploitation as “produced by structural factors, including legal regimes that criminalize prostitution and illegalize migrants, the capitalist organization of the labour process, and gendered and racialized devaluations of work” (van der Meulen et al, 2013, p. 18). The Canadian Alliance for Sex Work Law Reform (2017) argues that this labour framework allows researchers and policymakers to be able to address exploitation in the sex industry by engaging with provincial legislation like employment standards and occupational health and safety legislation.

Despite my emphasis on work, I am not arguing that labour under capitalism is necessarily good. As Mac and Smith (2018) have argued, “as a society we obsessively valorize work as a key locus of meaning, status, and identity in our lives” (p. 40). Yet at the same time, people struggle with obtaining decent living wages and health insurance, and many people continue to face criminalization (Mac and Smith, 2018). An approach that focuses on labour as a social good is not an adequate approach to understanding sex workers’ rights; a focus on work should focus on safety and working conditions (Mac and Smith, 2018). As a labour activist and as someone currently working for a union, I align myself with this critique of labour as “good.” A delicate balance is needed in this discussion, as it is necessary to conceptualize sex work-as-work and as valuable work that contributes to our communities, without fetishizing labour under capitalism (Mac and Smith, 2018). Throughout this piece I refer to this work as BRC work, and the workers as BRC workers or practitioners.

## *Stigma*

Similar to other jurisdictions around the world, stigma and discrimination against sex workers and their clients have shaped how sex work—broadly defined—is regulated across Canada (Lewis, Shaver, and Maticka-Tyndale, 2013). In their most recent report, *Project Inclusion: Confronting Anti-Homeless and Anti-Substance User Stigma in British Columbia*, Bennett and Larkin (2019) note that “stigma is generally understood as a problem of individual beliefs and attitudes that which may lead individuals to engage in prejudicial behaviours” (p. 124). According to Goffman (1963), “stigma has historically been conceptualized as an attribute, behaviour, or reputation that is socially discrediting” (as cited in Bennett and Larkin, 2019, p. 120). Lewis, Shaver, and Maticka-Tyndale (2013) note that stigma has significant impacts on the everyday lives of sex workers, and these impacts are felt in their experiences with customers, community members, and in government policies and practices (p. 199). Hannem (2012) has pointed to the structural nature of stigma, meaning that stigma is “structurally embedded in the cultural values, practices, and institutions of society” (p. 10). Although this dissertation is not only about stigma and sex work, I explore the role that stigma plays in the organization of BRC work through the institution of the BRC bylaw and how the bylaw contributes to the stigmatization of sex workers.

Experiences of stigma and discrimination are not new to sex workers in Alberta or in the rest of Canada. As demonstrated with the quotes at the beginning of the chapter, all of the current and former BRC workers that I spoke with told me about their experiences being stigmatized for their work, and that stigma was still something they faced regularly in their everyday lives outside of work. Scholars have argued that the stigmatization of sex workers has contributed to the ongoing marginalization and climate of violence that

sex workers experience (Jeffrey and MacDonald, 2006 as cited in Lewis, Shaver, and Maticka-Tyndale, 2013, p. 199). Durisin, van der Meulen, and Bruckert (2013) have noted that the ways in which sex work and sex workers are viewed has a direct impact on how the work and the workers are regulated. I take the position that making stigma visible is particularly important; building on the work of G. Smith (1990) I seek to illuminate the ways in which stigma against BRC workers is organized by law and policy and through the interconnection and coordination of both local and extra-local ruling relations (defined in Chapter Two), and how this organization then shapes BRC sex work. As G. Smith (1990) argues, this allows researchers to move away from viewing administrative regimes as a “black box” which is activated by concepts or ideas such as stigma and discrimination and pushes researchers to be able to understand how an administrative regime actually works. For example, in his work, G. Smith (1990) found that one of the critical issues with the lack of treatment infrastructure for those living with AIDS was not as much related to homophobia, but rather it was related to the lack of a mandate to manage the infrastructure for the delivery of treatment. Thus, the stigma and discrimination described by current and former workers is crucial to the context in which this research took place, and I consider it important to acknowledge the experiences of these workers. As such, in this dissertation, I situate these experiences within the context of seeking to understand how the bureaucratic ruling relations that organize BRC sex work shape and organize how and who can engage in BRC sex work.

### ***Sex-Positive and Consent***

In their exploration of the politics of the sex workers’ movement in the United Kingdom, Mac and Smith (2018) detail how the sex-positive movement has impacted how sex work

is conceptualized. They argue that many sex-positive activists focus so centrally on the issue of sexual empowerment, which has made it more difficult to talk about the labour and material conditions that sex workers experience (Mac and Smith, 2018). Those who are sex-positive sometimes share one quality with carceral feminists, which is that both lenses obscure the material conditions of a sex workers' work location or aspects of the industry that they work in (Mac and Smith, 2018). By focusing on the material conditions of work in BRCs and how this is shaped by the bylaw, I am able to illustrate the myriad of relations that govern and organize BRC work, and I am able to attend to the everyday material impacts of these relations.

Drawing on Mac and Smith's (2018) discussion, I would add that the current dominant discussion of consent in Canada within a "yes means YES" rhetoric as a central component of the sex-positive movement and the anti-violence movement<sup>5</sup> conceptualizes consent as rooted in enthusiasm, or what has been described as enthusiastic consent. This further erases the everyday experiences of those who engage in sex work. This conceptualization of enthusiastic consent can be seen in the Canadian Federation of Students (CFS) Campus Toolkit for Creating Consent Culture, in which the CFS describes consent to sexual activity as "ongoing, freely given, informed, and enthusiastic" (Canadian Federation of Students, n.d., p. 19)<sup>6</sup>. However, when reading this

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<sup>5</sup> I use this term to refer to the movement dedicated to addressing sexual violence and domestic violence. As I will discuss in my methodology chapter, I have been involved in this type of anti-violence activism, and I used to work quite closely with the Canadian Federation of Students. What I have critiqued in presentations like "Working Towards Creating University Consent Culture that Include the Experiences of Sex Workers," (2016), is the lack of nuance in how organizations such as the CFS have mobilized the term enthusiastic consent, as it ignores both the banality of sex and sexuality, which can exist, and it ignores the boring aspects that we can all experience in our workplace.

<sup>6</sup> As someone who used to work closely with the CFS and engaged in extensively political and activist organizing around addressing sexual violence, I can attest to the fact that often sex work and the stigma that sex workers face when reporting sexual violence is often left out of discussions in the anti-sexual violence movement. Although this is not always true, it was my experience that often when I attempted to bring up

toolkit, I am left wondering: what is enthusiastic consent, and who defines enthusiasm? Does this mean that we need to be waking the neighbours or swinging from the chandeliers with our enthusiasm? Who decides what is enthusiastic enough? And whose experiences of enthusiasm and sex are considered legitimate enough? As one Tits and Sass (a blog run by sex workers) author said about their experience with the notion of enthusiastic consent and sex work,

I think a lot of women's heterosexual sex is or has been characterized by negotiating their own lack of "enthusiastic consent," a relatively new concept aiming to educate in a more nuanced way than "no means no" and "yes means yes." It's rare that I give authentic "enthusiastic consent" while I'm working. And that's how I prefer it (Shane, 2013).

This notion of consent also ignores some of the everyday experiences of a lot of people who sometimes experience sexual activity as boring or banal, but it also creates the idea that in order for any sexual activity (including sex work) to be considered "legitimate" and consensual, there must be some form of enthusiasm. As a result, should an individual not be as enthusiastic (however that is defined), there is the potential for that sexual activity to not be considered consensual and consequently conceptualized as sexual violence. This conceptualization makes invisible the experience that sometimes sex and intimacy require emotional and affective labour, and that sometimes we do not have to be enthusiastic about sex. We can be tired, we can be exhausted by the other emotional work we have to do, or the physical labour we do, but despite that lack of enthusiasm we can still provide consent.

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sex workers' rights during the creation of the Carleton Standalone Sexual Violence Policy, that it was not met with warm reception from other groups. This shows that even though sex workers face violence and sexual violence, their experiences and perspectives are still often excluded from the anti-sexual violence movement.

In addition, when individuals engage in sexual activities as a form of labour, this framework conceptualizes sex work as only legitimate when that work is done in an enthusiastic way and ignores the varying conditions of work that workers across sectors have described. This is similar to other forms of labour; for example, while I enjoyed my work at the Government of Alberta, I would not say that every day I was enthusiastic to be at work. Work under capitalism is often very difficult, as workers experience forms of precarity such as high rent, high costs for food and living, and high costs of education (Mac and Smith, 2018). Given these circumstances, I was still consenting to work. As Mac and Smith (2018) argue, it is not useful to argue that in order for work to be ‘good’ work or legitimate work, it must always be fulfilling or enjoyable or in this case, enthusiastic, because to only focus on work that is generally wonderful excludes the experiences of those who do not meet those standards. For example, this could lead to the erasure of those who experience violence in the workplace while engaging in sex work. As I explore in this dissertation, even when policymakers consider sex work “legitimate,” policies continue to be developed in ways that are distant from the lived experiences of sex workers, which can continue to erase experiences of violence and even contribute to the ongoing stigmatization and criminalization of sex workers. In this dissertation I explore how policies that contribute to the stigmatization and criminalization of sex workers have manifested in the BRC bylaw in Edmonton, Alberta. That is why it is so important to consider the labour conditions of sex workers and to understand the legal context in which they work (Mac and Smith, 2018).

### ***Decriminalization, Legalization, and Criminalization***

Sex work and sexuality scholars have outlined three frameworks to describe the regulatory regimes that have been used around the world by policymakers to govern sex work. These frameworks have also been taken up by various activist and advocate groups. In addition to the framework of sex work-as-work, sex work advocates and activists have called for the decriminalization of the sex industry. Advocates who call for this type of framework are seeking to eradicate the legal regulations that target sex workers like the Canadian Criminal Code (van der Meulen et al, 2013). This framework has been taken up in New Zealand, where sex workers have reported improvements in their protection and access to their rights (Abel, Fitzgerald, Healy, and Taylor, 2010 as cited in van der Meulen et al, 2013). In this type of regulatory framework, indoor-based locations such as BRCs would still encounter regulations like other businesses (van der Meulen et al, 2013). Decriminalization has often been juxtaposed with the criminalization framework.

The criminalization framework has often been taken up by anti-prostitution “feminists” or prohibitionists, conservative religious organizations, and governments (van der Meulen et al, 2013). Advocates of this framework often call for the increased criminalization of the “demand-side” of sex work, where clients and managers are policed and penalized (van der Meulen et al, 2013). Those who advocate for this type of regulation of the industry often conceptualize sex workers, with a focus on female sex workers, as victims of male violence, and sex work is conceptualized as a form of slavery and gendered exploitation (van der Meulen et al, 2013, p. 15). This focus on the clients of sex workers was also evident in the PCEPA “with the criminalization of the purchase of sexual services for the first time in Canada” (van der Meulen and Durisin, 2018, p. 38),

and the focus on penalizing the clients of sex workers is also prominent in Edmonton<sup>7</sup>. Some scholars have referred to this emphasis on the criminalization of clients as “asymmetrical criminalization” (Durisin, van der Meulen, and Bruckert, 2018, p. 6). Asymmetrical criminalization can also be found in Sweden (Durisin et al, 2018). Even though the intent is to criminalize clients, this framework has significant implications for sex workers. Criminalization often has disproportionate impacts on workers of colour, trans and non-binary workers, and sex workers from the LGBTQ community (Mac and Smith, 2018). Advocates in Canada have argued that PCEPA is a variant of asymmetrical criminalization also referred to as the Nordic Model, a framework designed to diminish sex work without punishing sex workers themselves, who are framed as the “victims of prostitution” (Belak and Bennett, 2016, p. 5). Despite this, as I describe in Chapter Three, these new Criminal Code sections continue to have negative impacts on sex workers in Canada.

Finally, scholars have pointed to a third regime, the legislative and regulatory regime often referred to as legalization (van der Meulen, et al, 2013; Durisin et al, 2018). This type of regulatory system exists in jurisdictions like Nevada and Germany. It is often grounded in the conception of sex work as a public nuisance and even a social ill that needs to be eliminated and reduced (Durisin et al, 2018). The bylaw regime discussed in this dissertation is an example of how legalization can be imposed on sex work by municipalities. However, given that sex work in Canada is still criminalized under the Federal Canadian Criminal Code, BRC sex workers in Alberta are subject to

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<sup>7</sup> Although it is not the focus of this project, the John School in Edmonton has a particularly complex role in the regulation of sex work in the city and was mentioned to me by several individuals, including a former worker and an individual who works for a community-based organization who provided direct input into the new BRC bylaw in Edmonton. This is one area for possible future research.

the penalties and regulations of both the Criminal Code and the bylaw. I noticed throughout my discussions with city officials and municipal bureaucrats that the legalization framework was often confused with decriminalization by policymakers. Durisin, et al. (2018) argue that this misuse of the term decriminalization, obscures how sex workers are criminalized under the legislative regime, and invisibilizes the harms that criminalization causes for the clients of workers.

The confusion around the differences between legalization and decriminalization highlights how complicated the discussions and debates around sex work can be, and that this complexity cannot be broken down into a simple binary debate between those who are “for sex work” and those who are “against it.” Rather than situating my work within the debate between anti-sex work feminists or abolitionists and pro-sex work feminists, I seek to build upon these important contextual discussions by detailing the complex ways in which criminalization, stigma, and morality have played a role in structuring the BRC bylaw as an institutional relation that organizes BRC sex work in Edmonton. In this introduction I have introduced some of the scholarly literature that I draw on. In the remainder of this dissertation, I weave the literature throughout my analysis because this allows me to situate my analysis directly in conversation with the existing scholarly literature.

### **Scholarly Contributions**

My work builds upon the significant and important body of literature that exists on the regulation of sex work in Canada and internationally in the following six ways. First, I put forth a critical analysis of how the discourse of harm reduction has been misapplied and co-opted by city officials and municipal bureaucrats, and how this has shaped the

organization of BRC work by utilizing what I have referred to as carceral harm reduction. Drawing on Smith (2012) and Roe (2005), this project contributes to a critical discussion about both how harm reduction has been taken up by policymakers at all levels of government and how the harm reduction framework and principles have been misapplied to sex work. The co-optation of harm reduction discourses is not new to the harm reduction movement (Smith, 2012), nor is this a new phenomenon. For example, Burke and Bernstein (2014) have argued that queer discourses have been co-opted by opponents of LGBTQ rights, and Robinson's (2020) work illustrates how grassroots empowerment movements in the "affordable housing" sector have been co-opted by elites in Chicago.

Second, compared to the rather substantive research on sex work in Ottawa, Toronto, Montreal, and Vancouver (see Bruckert and Dufresne, 2002; Ross, 2010; Lam, 2016; Crago and Clamen, 2013), there is less research done on the sex industry in Edmonton, and this is particularly true with regards to research on BRC work. Previous studies that have focused on municipal regulations of sex work have focused primarily on Vancouver and Toronto (Lam, 2016; Brock, 2009; and Anderson et al, 2015). With the exception of the work of the Sex Workers, Allies, and Friends research project in Edmonton and Ferris's (2015) work, few studies that focus on sex work have focused on the prairie region of Canada. Lewis and Maticka-Tyndale (2000) did engage in a comparative analysis of municipal licensing in Calgary, Alberta and Windsor, Ontario. However, they looked at the regulation of escort work, and not BRC work.

Hubbard and Colosi (2013) assert that a significant portion of the scholarly work on the governance of sexuality has focused on the role of police and the Canadian Criminal Code. I build on the work of Hubbard and Colosi (2013), as well as Lewis and

Macticka-Tyndale (2000) in order to contribute to research on the deployment of municipal law as a means of regulating sexuality by focusing on sex work. Furthermore, I draw on the work of Lam (2016, 2019) and van der Meulen and Durisin (2008), who focus on the municipal regulation of massage parlour work in Toronto by exploring how BRC work is regulated by the City of Edmonton.

Fourth, this dissertation extends on the research that has been done on sex work in Canada by detailing how Edmonton municipal law is both impacted and organized by the intersection of provincial and federal regulations. Following the work of Law (2015) and Bruckert and Dufresne (2002) I seek to illuminate the ways in which Alberta provincial legislation intersects with the federal Criminal Code and the municipal bylaw to organize and shape Edmonton BRC work.

Fifth, while there is a significant body of literature that has explored sex workers' experiences, fewer studies have explored the role of municipal bureaucrats or city officials' work in both creating and enacting bylaws, and how these actions contribute to sex workers' working conditions in BRC. Sex workers have often been over researched and many sex workers experience research fatigue, as projects are not necessarily informed by their concerns. As such, I carefully considered where and how my research could take a different focus, which is why I turned my attention to the role of municipal bureaucrats and city officials. While I did talk to some current and former sex workers, I focused on municipal bureaucrats, city officials and individuals from community-based organizations who have played a role in the creation and enactment of the new BRC bylaw. By talking to city officials and bureaucrats I was able to gain significant insight into how BRC bylaws are both created and how they are enacted. In addition, I was also

able to explore the disjuncture between the written word of the bylaw and how it is implemented by municipal bureaucrats and city officials. I was also able to speak with some current and former workers and was able to gain insight into how the bylaw impacts their everyday work and life.

Sixth, there is a large body of work that critiques the anti-trafficking movement and its impact on sex work around the world and in Canada (see Augustin, 2006, 2007; Weitzer 2006, 2007; Bernstein, 2010; Hunt, 2013,). Drawing on this body of literature I examine how the anti-trafficking movement and desires to address a perceived issue of trafficking in Edmonton has shaped how the Edmonton bylaw was created, how it continues to be enacted, and how it subsequently organizes BRC work. Furthermore, my work illustrates how the concern for trafficking within BRCs has also shaped other municipal policies, primarily the Access Without Fear (AWF) policy.

### **Exploring the Dissertation**

“Your legal name is Lauren, but you work by the name Susie.”<sup>8</sup>

I have organized this dissertation into two distinct sections. The first section—Chapter One, Chapter Two, and Chapter Three—focuses on the context and the research approach. This chapter (Chapter One) provides the contextual landscape for readers. Chapter Two explicitly lays out how my research has been guided by IE and which aspects of IE I mobilize to be able to both understand the role that texts play in organizing BRC sex work, and how this connects to individuals’ experiences in both creating bylaws and individual experiences working in BRC. This chapter will provide an

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<sup>8</sup> Municipal bureaucrat, Discussion 1, April 24, 2018.

in-depth discussion of the three methodological tools I used, which included discussions (often referred to as interviews), textual analysis, and participant observation. In Chapter Three, I discuss the key texts I identified during my research. This also includes the texts that individuals that I spoke with had brought to my attention. This chapter explores both the creation and enactment of the BRC bylaws by demonstrating the interconnections between municipal, provincial, and federal regulations.

Section Two consists of Chapter Four, Chapter Five, Chapter Six, and Chapter Seven and focuses on the BRC bylaw and how it is enacted by municipal bureaucrats and city officials. Section Two discusses how the concept of harm reduction has been taken up by city officials and bureaucrats, how this shaped the new bylaw, and how it is enacted to regulate BRC work. In this section, Chapter Four contextualizes the term and discourse of harm reduction and lays out how different actors within the City of Edmonton bureaucracy with different relationships to the bylaw have mobilized the discourse of harm reduction. In this chapter I explore the different conceptualizations of harm reduction, and I present the notion of “carceral harm reduction.” I explore how harm reduction has been mobilized by city officials and bureaucrats in ways that stigmatize BRC workers, and places BRC workers and BRCs in opposition to “nice communities.”

Chapters Five, Six, and Seven illustrate how this idea of harm reduction has shaped the enactment of the BRC bylaw in three distinct ways. In Chapter Five I argue that the requirements for BRC practitioners and owners act as a means of bureaucratized surveillance, primarily of BRC practitioners. In Chapter Six I argue that harm reduction discourses have been used in parallel with discourses of safety, which I describe as

conceptualizations of “well-being” to justify the further regulation of BRC sex workers. In Chapter Seven I argue that BRC regulations are racialized, as they are shaped by concerns of human trafficking. Furthermore, my work demonstrates that these concerns regarding human trafficking and BRC have impacted other municipal policies, primarily Edmonton’s AWF policy, and how this policy is shaped by the regulation of BRCs. Finally, in the Conclusion I discuss areas for future research, and provide policy recommendations for the City of Edmonton to consider when revising their BRC bylaws.

## Chapter Two

### **Flying Dental Dams and Nuva Rings: Using Institutional Ethnography to Investigate the Regulation of BRCs**

The rule is: if you write a story about sex work, and you don't have significant input and quotes from actual \*sex workers\* in your story, then your article is shit. I've said this many times. It's pretty basic stuff (@mistressmatisse, Twitter, March 3, 2019).

Above is a tweet from a prominent sex worker and advocate that I think cuts to the core political and ethical dilemma that many researchers face, and that I faced throughout this research process: the inclusion of the experiences of sex workers in the research and writing process. This is something I will return to throughout this chapter. Over the years, my research, labour, and activism have been guided by a political commitment to the decriminalization of sex work in Canada, harm reduction activism (advocating for a safe consumption site in Ottawa), and by my work advocating for greater rights for precarious workers. These commitments, along with the work of sex work scholars and my engagement with sex worker activists, have helped shape and informed my sex work-as work labour lens through which my project has emerged. The approach, the construction of the research project, and the methodology chosen, including the ways IE has informed my project, have been shaped by these political commitments. However, as I note below, despite these commitments, my project contains some limitations.

As I discussed in Chapter One, in 2015 I began working with POWER, a sex worker advocacy organization based in Ottawa. Along with two members from POWER, we wrote and published a paper that discussed the negative impacts that the RCMP-led anti-trafficking initiatives have had on indoor-based sex workers in Ottawa (Montgomery and Symons, 2016). My original interest in the social organization of indoor-based sex

work began with this research paper, as I became aware of the particular nature of indoor-based sex work, and the increased impacts of criminalization and stigmatization that these workers were facing in a post Bill C-36 or PCEPA world. Furthermore, during this time, more and more news stories were coming out about the police surveillance and the increased municipal regulations being imposed on indoor-based sex work, most particularly BRC work. Through this work with POWER, I was able to ground my personal and political commitments to the decriminalization of sex work in grassroots activism.

Throughout my PhD I have carefully explored many qualitative approaches to research, including grappling with public sociology, participant action research (PAR), institutional ethnography (IE), and political activist ethnography (PAE). My exploration of these approaches has to date included participating in a PAE reading group, attending a three-day workshop on PAR, a workshop on movement-based research, and writing a comprehensive exam on the differences and complementary aspects of public sociology, IE, and PAE. As I will detail below, I found that although I do not take a traditional approach to IE, I have drawn on the work of scholars such as Dorothy Smith (1987, 2005), and have found that there are particular aspects of IE that provide a helpful approach to understanding how BRC sex work is socially organized. In this chapter, I detail how my approach and methodology were guided by certain aspects of IE, but I also acknowledge that in some ways I depart from the way that IE has been used in previous studies. In particular, I take a different approach with my focus on sex work as I explore a form of labour organized by institutions, but one that is not located within “traditional”

institutions, such as the exploration of the everyday work of healthcare workers who work within hospitals.

### **Approach: Institutional Ethnography and Sex Work Regulation**

IE was developed by Dorothy Smith (1987, 2005) and has been elaborated on by several scholars in the fields of sociology, anthropology, social work, and many others. It has been used for research from a variety of fields such as care work (Diamond, 1992), immigration (Ng, 1996), sex work (Lam, 2019), education (Restoule, Masford-Pringle, Chacaby, Smillie, Brunette, and Russel, 2013), and criminology (Welsh and Rajah, 2014). Despite the diversity in research topics, the number of scholars who engage with IE is relatively small, and while this method of inquiry is particularly well suited for institutional settings such as social services (Nichols, 2014; Welsh and Rajah, 2014), education (Restoule et al, 2013), hospitals etc., there are fewer studies that have engaged with experiences that do not operate out of an institution like a hospital or a school, but are coordinated by them, such as sex work. Focusing on the exploration of sex work, which occurs in complex regulatory and institutional spaces (given the regulations imposed on BRC), and on the criminalization that sex workers face across Canada (Bruckert, 2002; van Der Meulen et al, 2013) creates the space for new conversations in IE about work that is organized by institutions, but not done in an institution.

As a method of inquiry and orientation towards research, IE has several core components that allow scholars to make unique connections and analyses (D. Smith, 1987; 2005; Campbell and Gregor, 2008). However, there are five specific aspects of IE that I consider key to my work and that I mobilize in my approach to my research. They are the focus on exploring everyday life, the conceptualization of work, the emphasis on

investigating ruling relations and the goal of mapping<sup>9</sup> them, the role of texts in the organization of work (Smith, 2005, p. 51), the distinction between the local and extra-local relations, and the focus on individuals' experiences.

The ontological foundation of IE has roots in Marxist theory; these two approaches conceptualize the social world as produced through the social practices of people (Kinsman, 2006, p. 137). Drawing on Frampton, Kinsman, Thompson, and Tilleczek (2006) I understand ontology to refer to the way that the social world is produced, and that this is done through and by the social practices of people (p. 34). One of the objectives of IE is to “explore everyday life and not to theorize it” (Campbell and Gregor, 2008, p. 50). While theorizing can be useful, I find Smith's emphasis on the “everyday” particularly important, as this allowed me to attend to how regulations organize the labour of BRC workers. Following Bisailon's (2012) take on D. Smith's work, the everyday is understood as “the ongoing, meaningful effort that people engage in to carry out their lives” (p. 612). In order to understand BRC workers' everyday experiences, I engage with D. Smith's (1987) idea of exploring the role that institutions play in the organization of these everyday experiences.

D. Smith (1987) defines institutions as “...a complex set of relations forming part of a ruling apparatus, organized around a distinctive function...” (p. 196). I utilize D. Smith's (1990) definition of ruling apparatuses: “those institutions of administration, management, professional authority, and of intellectual and cultural discourses, which

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<sup>9</sup> While this method of mapping ruling relations has been used in particularly useful ways, Ng (2006) has pointed out that one limitation of ‘mapping’ in IE is the possible orientalist, colonialist, and imperialist connotations of ‘mapping’ as developed by white European agents who have historically mapped the world from their own standpoints (Ng, 2006, p. 136); this demonstrates a need for an ongoing and reflexive, antiracist, anti-imperialist/colonialist lens in IE.

organize, regulate, lead and direct contemporary capitalist societies” (p. 2). Furthermore, institutions are processes that not only organize but also coordinate people’s everyday activities and work (Bisaillon, 2012, p. 614). This is a useful tool as it helped me investigate various municipal institutions which organize and regulate BRC sex work such as: City Council, City Council Committees, and the Body Rub Centre Task Force which have all played a role in the amendments to the BRC bylaw, and how these institutions intersect with provincial and federal institutions to coordinate BRC sex work.

I have mobilized aspects of IE to understand how institutions shape and organize the everyday work of BRC workers and owners (D. Smith, 1987, 2005). I draw on D. Smith’s (2005) and Bisaillon’s (2012) conceptualization of work, which includes the everyday activities that people do that take time and effort: “work is used as a metaphor to direct attention to everyday practices in which people engage and that their labour produces. This includes formal participation in the labour market and activities that people do that they might not normally think of as work” (p. 620). There are two main components to the concept of “work.” The first is a person’s experience of their own work, how they do it, what they do, including how they think and feel (Smith, 2005 p. 151). The second is coordination of an individual’s work with the work of others and through institutional texts (D. Smith, 2005, p. 151). In his work, *Political Activist as Ethnographer*, George Smith (1990) expands upon IE’s broad conceptualization of work by recognizing activism as a form of work. This understanding of work is particularly important, as exploring the social organization of ruling regimes that activists confront is then conceptualized as labour, and not only understood as social activism or disruption (Hussey, 2012). This creates space for researchers who engage in activist-oriented

academic work or activism outside of academia to acknowledge the role that other activists or their own activism has played in shaping their research, and the value and contributions that these actions have as labour. For example, as I noted earlier, my initial interest in the regulation and surveillance of indoor-based sex work was sparked by the work that I have done with POWER, such as attending meetings, writing an article with people from POWER on *Operation Northern Spotlight*, and a meeting with Terry Jean Bedford<sup>10</sup>. During the process of my research, I continued to do some smaller projects for POWER, but my work with sex worker advocacy groups took on a different role and form in Edmonton. In Edmonton, the activist group Prostitutes Involved, Empowered, and Cogent Edmonton (PIECE) is one of the main sex worker advocacy groups in the area, along with SHIFT in Calgary. In Edmonton, I was not able to participate in any of PIECE's events or meetings, as they were not active at the time. However, I did offer to provide support through research or writing, or do any other work that they may be looking for from those working on research related to sex work.

In my research, an individual's work was defined by how close they were to the process of the bylaw creation or enactment, or if their work was shaped and organized by the bylaw. For example, the work of city officials included meeting with stakeholders to listen to their views of the BRC bylaw and to hear from the BRC Task Force. The municipal bureaucrats' work included writing the bylaw, enforcing the bylaw, checking in on BRC workers, and talking to city officials. BRC work can include engaging with clients, posting ads, and meeting all the licensing requirements for the BRC practitioner,

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<sup>10</sup> Terry Jean Bedford is a very important and influential voice in Canadian politics, but also played a crucial role in shaping the Canadian legal landscape. In 2013, along with her work on previous cases, she played a key role in the Supreme Court's decision to strike down Canada's Criminal Code sections that pertained to sex work (<http://terrijeanbedford.com/>).

such as attending the Business License Information Session. It also includes some more mundane activities, such as ensuring they have their BRC Practitioner license with them or making sure that BRC bylaw requirements—like ensuring there are always two people working—are being followed.

When interrogating institutions and exploring the organization of work there are two settings that I am concerned with. The first is the local setting, where “life is lived, and experienced by actual people,” and the second is the “extra-local or the trans-local which is outside the boundaries of one’s everyday experiences” (Campbell and Gregor, 2008). I utilize these concepts as they allow me to focus on the experiences of both BRC workers and bureaucrats and to explore the institutions that shape these experiences. In addition, I was able to explore how bureaucrats created the bylaw and how it was enacted, but I was also able to explore the experiences of both BRC workers, city officials, and bureaucrats. In this research, I explore the ways in which the organization of BRC indoor sex work is organized through the municipal BRC bylaw, and how this shapes how BRC workers and owners go about their everyday work.

Drawing on Dorothy Smith (1987, 2005) and G. Smith (1990), the second setting I explored was the extensive network of extra-local relations by analyzing the creation and enactment of municipal regulations—more specifically bylaw regimes created and enacted by government actors, and how they are linked to provincial municipal planning legislation, employment standards legislation, and occupational health and safety among others. Furthermore, I paid attention to the ways in which Edmonton’s BRC bylaws have been shaped by the federal legislation PCEPA (Government of Canada, 2014) as well as

the Canadian Criminal Code. These connections will be further explored in Chapter Three.

In order to explore work and ruling relations, one of the primary ways I use IE is by analyzing the ways in which the enactment of texts, such as the BRC bylaw and the provincial legislation, shape and organize individuals' work experiences (Smith, 1987, 2005). Doll and Walby (2019) note the importance of using texts to explore people's experiences and work:

ethnographic exploration of texts is to explore the kind of texts, the routes, and the moments they enter people's work. The second goal is to explore ethnographically how people work with those texts in ways that affect the lives of others in different contexts (Doll and Walby, 2019, p. 151).

Texts are put into action by people, and people often conduct their work through texts, forms, and reports (Campbell and Gregor, 2008). For example, Diamond's (1992) work reveals how the texts that organize a nursing home, such as the textbook *Being a Nursing Assistant*, the charts, forms, and his own field notes shaped his work in the nursing home. IE can help illuminate connections between various ruling relations and between people's experiences that provide a different way of understanding the role of texts, and their connection with the organization of work that would emerge from the use of other approaches, such as content analysis or participant-observation. Texts are treated "as material artefacts that carry standardized messaging" (Bisaillon, 2012, p. 620 as cited in Doll and Walby, 2019), and can include things such as photographs, film, and other printed materials. In my research, texts encompassed a broad range of materials, including artefacts like: photos, pamphlets, and condoms from participant observation sessions; archived bylaws; City of Edmonton documents related to the BRC bylaw; news articles; and texts produced by sex workers and activists. I have expanded on the use of

texts that D. Smith (1987, 2005) refers to in her work by including texts that are produced outside of the institution which regulates BRC work; in fact, many of the texts produced by sex workers and activists often actively confront the work of the institutions that regulate sex work (G. Smith, 1990). Furthermore, the inclusion of artefacts from participant-observation sessions, and documents that (i) are not directly activated in the organization of BRC work or (ii) do not directly articulate the bylaw or BRC regulations (such as the information sheets on how to do taxes when working in a BRC) allow for a more in-depth analysis of the local and extra-local ruling relations. I discuss how I have utilized these texts in Section 2: Data Collection.

### **Exploring the Local Ruling Relations through Experience**

Smith (1987, 2005) and other scholars focus on the lived experiences of individuals and particularly on their “everyday experiences.” However, texts are not the only materials used to understand these everyday experiences. The exploration of individuals’ experiences often occurs through interviews and participant observation. When referring to interviews I employ the term discussions and conversations. Utilizing interviews, textual analysis, and participant observation helps researchers map ruling relations. For example, in Diamond’s (1992) work, he found that:

There were no spaces to note the work of nervous monitoring or residents’ fears, not to mention their screams. Hazel Morris. Shower. Check. If it wasn’t charted, it didn’t happen. What happened to the work that wasn’t charted? It seemed as if much of it was being made invisible...I began to wonder whether, in order to accomplish their objectives, they also needed to leave certain information out (p. 137).

This example illuminates the various aspects of physical, emotional, and affective labour that encompass people’s lives and work that are not accounted for within institutional

texts (Gould, 2009; Diamond, 1992). It highlights how the institutional rules of the care facility shape and coordinate work, but also how they produce a disjuncture between the local experiences of people and the more distant institutional arrangement of nursing home care (Diamond, 1992). This approach allows scholars to see the disjuncture between institutional texts and discourse<sup>11</sup> and the lived experiences of individuals—a phenomenon that Smith (1990) referred to as a “line of fault.” By paying attention to the disjuncture between experience and discourse, I have been able to attend to the deployment and co-optation of the “harm reduction” discourse by city officials and municipal bureaucrats in the creation of the bylaw, and how this discourse was institutionalized and mobilized in ways that were distant from the lived realities of BRC workers. For example, in Chapter Five I discuss how “harm reduction” has been used to justify the surveillance of BRC workers, and in Chapter Seven I discuss how this intersects with and is coordinated by anti-trafficking efforts.

In addition, following the work of Frampton et al. (2006), D. Smith (1987, 2005) and G. Smith (1990) I employ a “reflexive epistemology” (Frampton et al, 2006, p. 30). This approach conceptualizes “knowledge as being mutually produced through interaction between researchers and the people they learn from” (Frampton et al. 2006, p. 30). D. Smith (1987, 2005) and G. Smith (1990) have argued for an epistemology which rejects objective accounts of the social, and instead advocates that researchers

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<sup>11</sup> For D. Smith, discourse “refers to a field of relations that include not only texts and their intertextual conversations, but the activities of people in actual sites who produce and use them and take up the conceptual frames they circulate. This notion of discourse never loses the presence of the subject who activates the text in any local moments of its use” (Devault and McCoy, 2002, p. 272 as cited in Campbell and Gregor, 2008, p. 40). This is different from the work of Foucault and others who take up his work, which understands the notion of discourse as a conversation in and through texts (Devault and McCoy, 2002 as cited in Campbell and Gregor, 2008).

practice a reflexive way of knowing the world they inhabit in relation to both known and unknown others (Hussey, 2012). Researchers who use IE, feminist scholars, queer scholars, Indigenous scholars, public sociologists, and others have demonstrated how crucial it is for sociologists (as well as other scholars) to engage in reflexive research practices that do not attempt to engage in the positivist “objective” approach (Hussey, 2012; G. Smith, 1990; Ahmed, 2017; Bruckert, 2002). This is similar to the ontological and epistemological grounding of feminist researchers such as Bruckert (2002) who orient themselves within the struggles of sex workers. For example, Bruckert (2002) describes herself as a politicized researcher by orienting herself within the sex workers’ rights movement. Similarly, I seek to and work towards orienting myself in solidarity with the sex workers’ rights movement. However, I actively chose not to label myself as an “ally.” For me, based on what I learned through various activist movements and groups in Ottawa, allyship is an ongoing process of learning and un-learning and is not a stagnant, unchanging means of identifying oneself. Allyship is ongoing work, and must include ongoing reflection; in this case, of my own position as a researcher and my connection with academia. My relationship to the social struggle of sex workers has taken the form of working with sex worker activists and advocates, as well as engaging in advocating for the decriminalization of sex work in Canada. I consider myself to be oriented around a commitment to solidarity with sex workers. I draw on the work of hooks (2000):

Solidarity is not the same as support. To experience solidarity, we must have a community of interests, shared beliefs, and goals around which to unite, to build Sisterhood. Support can be occasional. It can be given and just as easily withdrawn. Solidarity requires sustained, ongoing commitment (p. 67).

This commitment to solidarity with sex workers extends beyond support for sex work as a form of labour and includes advocating for sex workers rights and the decriminalization of sex work in Canada. This has been informed by my experiences in the labour movement, where I have learned that solidarity can be centred on the notions of stronger together and unity amongst workers. This solidarity work has taken the form of working with POWER, but also volunteering to help with writing and editing work, working with political leaders to help shape their policy platforms with regards to the decriminalization of sex work, and to advocate on social media platforms for the decriminalization of sex work.

When going into the local setting, the researcher needs to critically reflect on their own experiences and those of (un)known others (this is the basis for the research problematic), and the researcher looks for ways that work is done at a particular site and is organized by the extra-local and the local ruling relations (Hussey, 2012). There are several aspects of my PhD journey that have shaped and influence my social location and the varying ways in which this shapes my research project. This includes my previous activist experience in Ottawa, and my location within two sets of ruling relations: as a previous employee of the Government of Alberta, and in terms of my location within academia. People can be on either side of a social relation (both inside and outside the ruling relation), but they can flow between being both inside and outside of the ruling relation, and they can participate in ruling practices with and without their knowledge or consent (Campbell and Gregor, 2008, p. 39). For example, despite the fact that those who use IE seek to understand and [often] disrupt ruling relations, they are often situated as workers within academia or may be situated as researchers within other social research

institutions, and as such they oscillate between working and existing inside the ruling relation and outside of it (Smith, 2005). The University as an institution plays key roles in the coordination of the work of those who use IE (Smith, 1987, 2005). For example, scholars using IE are still competing for grants and placements in academia, which can shape how individuals go about their research. This impacts how, when, and why researchers engage with IE.

IE asks that researchers challenge the oppositional binary of theory and praxis within academia and resist the urge to reinforce the binary of activist versus academic (Smith, 1987, 1999a, as cited in Kinsman, 2006). This remains exceptionally difficult, as sociology as an academic discipline is part of academic ruling relations, and researchers are responsible to the institutions in which they operate (Smith, 1987, 2005; Hussey, 2012). As a result, this engaged approach, which seeks to resist the many ruling relations embedded in mainstream sociology, is deeply entangled in the ruling relations of academia as an institution. D. Smith (1987) and Kinsman (2006) argue that this is exemplified in the structure of academia, including the push to publish, and the process of funding applications and obligations. Researchers who use IE must be particularly reflexive of their practices and relations within and towards organizations such as universities during their research.

As I briefly discussed in the previous chapter, I did attend an event on harm reduction and sex work hosted by SHIFT. SHIFT is an organization that supports sex workers and people in the sex industry based in Calgary, Alberta. As an alternative to the more active participation I had with POWER, I shifted my energy to using social media to connect with sex workers' organizations across the country and sex worker activists

across Canada to contribute to online discussions around sex workers' rights, including discussions around the harmful conflation of human trafficking and sex work, and the impacts of the Criminal Code on sex workers. I also provided my twitter account to sex workers or sex worker advocates when I approached them for an interview/discussion. My personal views on the regulation of sex work were very important to them, and my statements online about supporting decriminalization and the impacts of the Criminal Code on sex workers helped me gain the trust of workers and advocates. For example, some individuals were very clear with me that they were not interested in talking with researchers who did not have a decent understanding of the stigma and violence that sex workers face, and that they were not interested in engaging with someone who did not support the decriminalization of sex work (Personal Communication, September 2018).

Some scholars argue that the type of work that I had done with POWER and with public statements about sex workers' rights constitutes "activist research" and argue that "activist research" or researchers engaging in activism are too close to the topic or the issues (Hale, 2006). Approaches such as activist anthropology, public sociology, IE, and PAE have demonstrated that doing activist research can be fruitful, and political commitments have the potential to transform research methods and results (Burawoy, 2005; Hale, 2006; Kinsman, 2006; G. Smith, 1990). This allows researchers to transform how research can be done and what research outputs can look like. The work of George Smith (1990) and IE expand on this by showing that not just methods for doing research need to change, and that researchers cannot just *do* activist work (Shotwell, 2011; G. Smith, 1990). Although not a perfect approach, I mobilize these insights by situating myself as in solidarity to the struggles and challenges that sex workers face in Canada. As

I will detail below, I have done this by continuing to work with sex worker advocacy organizations, by being very particular about the sources that I cite, and by specifically aligning myself with the fight for the decriminalization of sex work in Canada.

### **Data Collection and Analysis**

Following the work of D. Smith (1987, 2005), G. Smith (1990), and others in order to gain an in-depth understanding of the ruling relations that organize BRC sex work in Edmonton, I have utilized three primary methods of data collection: textual analysis, participant-observation, and semi-structured in-depth discussions. Compared to other methodologies such as participant-observation, content analysis, or case study work, “IE is not a solitary pursuit or a single fieldwork enterprise. Grappling with the actualities of extensive social relations is best taken up by inquiries opening up a number of different windows” (D. Smith, 1987, p. 218). Data collection in my work did not take a linear form; rather the accumulation of data emerged as clustered assemblages that were coordinated or impacted by themes that arose through conversations with participants, during participant-observation sessions, or during my preliminary research which helped to form my research problematic. I used three core means of data collection, but they were not completed in a distinct linear timeframe. Often ideas about participant-observation sessions would arise from discussions I had with BRC workers or municipal bureaucrats, or important texts to analyze would arise out of participant-observation sessions or conversations. Therefore, I do not refer to them as three distinct phases of research; rather, I conceptualize the research process as emergent and non-linear (Rodimon, 2018). As a result, I was often recruiting for discussions or engaging in discussions, while simultaneously working with the Edmonton archives to retrieve the

historical iterations of the BRC bylaw or attending participant observation events. This process was driven by the emergence of the problematic (Smith, 1987, 2005) and core ideas rather than engaging in one phase of research at a time. For example, I did not complete all the historical research through the archives prior to beginning discussions with individuals. As Tamboukou (2013) notes in their reflections on archival work:

The actual process of working in the archives from 9:00 AM to 5:00PM, day after day, created rhythms and material conditions through which some themes and ideas became centre and others remained in the peripheries of my research interest and attention. These ideas and themes emerging for the daily work at the archives became axes along which the research was structured.... (p. 625).

These types of experience arose during my research, which embodied the ebbs and flows of discussions intertwined with participant-observation and my engagement with the archives. These ebbs and flows brought to light the core ideas of the project, and even helped me gain greater understanding of the ruling relations involved with BRC bylaws. As I will discuss in the section on coding, my understanding of the BRC ruling relations identified in discussions with individuals and in the artefacts gathered throughout my research were not just driven by my own personal lens as a researcher, it was also driven by what the people I spoke with were telling me, or what was arising out of the artefacts that I had collected.

### ***Texts***

Data collection in IE focuses on understanding the role that texts play in coordinating and ordering the work of individuals, and on exploring what participants know about organizational procedures that they are a part of and participate in through their work (Hussey, 2012). As other scholars have noted, it is crucial for researchers to not only read texts for their meaning, but to be attuned to the active and passive ways in which they

organize people's lives (G. Smith, 1990; Kinsman, 2006). Following this desire to understand how texts organize the work of BRC sex workers, I engaged texts in five ways by gathering and analyzing: 1) current policy documents related to BRC; 2) historical City of Edmonton documents and materials; 3) provincial and federal legislation that I identified as having played a role in the organization of BRC; 4) textual artefacts from most if not all of my participant-observations sessions; 5) newspaper articles about the changes to the BRC bylaws; 6) contemporary writings by sex workers and by sex worker advocacy and activist organizations. This allowed me to understand *how* the bureaucratic work of bylaws occurs, and how ruling relations that are operationalized through bureaucracy impact or have the ability to impact the work of BRC workers.

#### *1) City of Edmonton Documents*

My initial textual entry point into this project was to gather and read official municipal texts related to the Body Rub Centre Task Force<sup>12</sup>. This included City of Edmonton Council meeting minutes related to BRCs, as well as the Body Rub Task Force final report. I also gathered older City of Edmonton Committee and Council minutes and recordings from the debates and amendments to the BRC bylaw. Many of these meetings' minutes and recordings are available to the public through the City of Edmonton website. These documents were incredibly helpful as they allowed me to identify potential individuals to talk to and understand the context of the debate and controversy that had become associated with the changes to the BRC bylaws.

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<sup>12</sup> The Body Rub Centre Task Force was introduced in Chapter One; however, additional details will be provided about this in Chapter Three.

## *2) Archival Work*

As I moved through the research phase of the study, I began gathering the historical iterations of the BRC bylaw from the City of Edmonton archives. I employ the work of [DWAN] Digital Women's Archive North (2017) and their feminist intervention into archival research by understanding the archive as not purely as a historical moment, but rather as a "living archive" and living historical texts. In this dissertation I do so by connecting my analysis of the archived texts of the bylaw with texts from the contemporary sex workers' rights movements and with the activist understanding of the regulation of sex work—in this case the regulation of BRC sex work.

In addition, I utilize Tamboukou's (2013) work, in which they situate the archive as a research tool that has particular "spatio-temporal" qualities and show that the archive and the researcher's relationship with the archive co-produces meaning. This articulation of the archive is especially meaningful, as the archive as a research tool played an important role in my research in determining what texts could be analyzed, and which ones could not. For example, one challenge in this project was that during my research, the City of Edmonton archives were under construction and not open to the public. However, I was able to work with the archivists over the phone or through email to obtain some of the documents needed. Many of the city's documents, including those related to BRC, had been digitized, but some had not. As a result, I was not able to obtain all of the possible aspects of the Edmonton BRC bylaw. According to the archivists, only some of the originals had been digitized at the time I was doing this research. Given that there were some possible aspects of the bylaw that had not been digitized I was not able to use the historical documents to be able to trace all potential changes made to the bylaw or aspects of the bylaw. Similar to what Tamboukou (2013) has noted in their work on

archival research, this project was shaped by what was and what was not available in the archives at this particular time. The archive and the archivists in many ways have a direct impact on the formation of knowledge and the organization of data. As Pester (2017) notes, “the practice of archive research has the potential to reveal the imperfect divisions between what is and is not part of that research” (p. 117). What can be found in the archives, and subsequently what becomes part of the research and what does not, is inherently political. As a researcher, I was left wondering “why were some of the materials digitized and some were not?” [DWAN] Digital Women’s Archive North (2017) note that an archive becomes an archive because individuals decide which materials and knowledge should be collected and retained, and that this process is inherently political as some materials are collected and retained while others are not (p. 157). These historical pieces are discussed in greater depth in Chapter Three.

### *3) Provincial and Federal Legislation*

In order to explore both the local and the extra-local ruling relations that shape and organize BRC labour, I collected and analyzed both federal and provincial legislation. The importance of provincial and federal legislation was originally revealed by the individuals that I spoke with, including: BRC workers, officials, and municipal bureaucrats. Some of the legislation that I analyzed included the Alberta *Employment Standards Act* (2018), the Alberta *Occupational Health and Safety Act* (2018), and the federal Criminal Code. The discussions I had helped me understand how these texts are locally activated to shape BRC work, and how this organizes the work in Edmonton in very particular ways. Bruckert and Dufresne’s (2002) work on the regulation of strip clubs in Ottawa, Ontario demonstrated the critical intersection of provincial legislation

with municipal regulations, and the ways in which textual analysis of ruling relations and regimes can shed light on the interconnection of these relations. For example, they note that the definition of “theater” and the ability to combine alcohol with nudity in one establishment in the 1973 *Ontario Liquor Control Act* revealed the impact that provincial regulations could have in shaping strip clubs in Ontario (Bruckert and Dufresne, 2002).

#### 4) *Artefacts*

In addition to gathering archival materials, I gathered textual artefacts at participant-observation sessions whenever they were available. Because I attended such a variety of community-based events, and events directly related to the BRC bylaw, I was able to gather an extensive number of artefacts. These artefacts consist of information sheets related to harm reduction, sexual health, crime prevention, safety tips, and tax information for sex workers, among many others. Collecting artefacts also included picking up sexual health materials such as condoms and lube when they were offered at events. Keeping these texts as artefacts helped me gain greater insight into the information that the city both takes from those who are looking to work as BRC workers, and what they share or provide to potential practitioners. It also helped me gain a greater understanding of the often-invisible ways that the City keeps track of BRC workers, which in turn reveals the organization of BRC sex work. The artefacts from community or municipal events helped me gain greater insight into how both community organizations and the city of Edmonton utilize discourses of safety, well-being, and sexual health. These themes will be discussed in Chapters Four, Five, Six, and Seven. All the artefacts that I collected were photographed and then put into NVivo to be coded along with the city of Edmonton documents, the archival materials, and the discussions.

### *5) News Articles*

As I discussed in the introduction, I had been interested in the regulation and policing of indoor-based sex work since early 2015. Since then, and throughout the research process, I collected news articles about police raids of massage parlours, or articles related to changes to municipal massage parlour bylaws that I found through google and social media. During the course of my research, I did not do a systematic search or a systematic review of media or media content. However, I paid attention to news articles about the bylaw changes which informed my thinking in the research process and during the writing of this dissertation. These articles were stored in a program called Evernote, and articles were tagged with themes related to the content such as “trafficking”, BRC, “Edmonton” et cetera. This included specifically keeping track of the articles related to changes to the Edmonton BRC bylaws as well as tracking how BRCs or massage parlours were being regulated and policed in other cities. I referred to some articles about the Edmonton bylaw to be able to identify who had been key players in the Body Rub Centre Task Force, what the process had been for amending the bylaws, and who some of the community activists had been both from the sex working community as well as those who worked with community-based organizations.

### *6) Texts Produced by Sex Workers and Activists*

In addition to engaging with peer reviewed articles and books related to sex work, I also utilized literature and texts produced by sex workers and by activists who support sex workers’ rights. For example, at the introduction to this chapter I included a quote from Mistress Matisse, who is a prominent dominatrix and writer on Twitter. Mistress Matisse, among many other sex workers and activists, has heavily criticized academic work and social research that excludes the voices and experiences of sex workers. As I will discuss

in the following section, I was not able to talk to as many sex workers as city officials and bureaucrats, and as such I wanted to ensure that I referenced the important contributions that sex workers have made by either making sure to utilize policy research produced by sex worker advocacy groups such as SHIFT, PACE, or Maggie's<sup>13</sup> and to reference the work of sex workers on social media. As I seek to understand the ruling relations that organize sex work in Edmonton, I consider their work as crucial texts that can and should be included in this work. As Blewett, Lavecchia, Micciche and Morris (2019) argue, "citation practices reproduced established hierarchies of power" (p. 275). It is crucial to disrupt these traditional hierarchies of citations. While citation practices should not be considered as the only or best way to confront academic institutional hierarchies, it is one way (in addition to conversations with current workers) to be able to bring in the experiences of sex workers to research.

### ***Discussions/Conversations***

Discussions with bureaucrats, city officials, individuals from community-based organizations, and BRC owners, and participant-observation are two important means to illuminate individuals' experiences, and to map the institutional organizational process (D. Smith, 1987, 2005; G. Smith, 1990; Hussey, 2012). In this dissertation, I use the terms discussions and conversations to reference what other scholars would commonly call interviews. I do this in order to reflect the practice of reflexive epistemology that I referenced earlier, as I do not situate myself or other researchers as the sole knowledge

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<sup>13</sup> SHIFT is a sex worker advocacy group in Calgary, PACE is a sex worker advocacy group in Vancouver, and Maggie's is a sex worker advocacy group in Toronto.

producers, but rather, assert that knowledge is derived from the social practices and interactions with the people that I spoke with (Frampton et al, 2006).

When using IE, researchers begin with the everyday experiences of workers. Beginning with experiences allows researchers to understand the various aspects of work and the day-to-day lives of workers that are not included in institutional texts (Diamond, 1992). This is why the discussions I had were key entry points for my analysis. While some researchers who mobilize IE focus on how individuals go about their work, such as how the work of nurses or social workers is shaped by ruling relations, the discussions I had focused on the work that is done by city officials and municipal bureaucrats to create and enact the ruling relations that shape and organize the work of BRC practitioners and owners. This is one way that I draw from, but also depart from, IE. When I spoke with BRC workers, one owner/worker, and one former owner, I also spoke with them about the everyday aspects of how they go about their work. However, I also spoke with them about how the BRC bylaw and the Canadian Criminal Code shape how they go about this work. In this project I depart slightly from previous studies that have utilized IE, as I look at the everyday work of those city officials and bureaucrats and how their work organizes BRC work.

Over the course of twelve months, I talked to twenty-one people and had nineteen discussions (that is, some of the discussions included more than one person). I talked to a variety of individuals who were differently positioned vis-à-vis the institution of municipal governance and ruling relations (Hussey, 2012). I spoke with three municipal bureaucrats, five city officials, nine members of community organizations who either played a role in the Task Force or currently play a role in the enactment of the bylaw,

three current BRC workers, and one current BRC owner/worker and sex worker advocate. Exploring the experiences and standpoints<sup>14</sup> of individuals who have varying relationships with and distance to the BRC regulations as a ruling relation is something I consider as critical. As Doll (2017) notes,

Research produced from the standpoint of officials working in the criminal justice system will produce different knowledge than studies conducted from the standpoint of a criminalized person because, enmeshed in different institutional worlds, these groups of people know institutions from different vantage points (as cited in Doll and Walby, 2019, p. 149)

In this project I do not provide a demographic breakdown of the individuals that I spoke with, such as gender and age. Several individuals that I spoke with told me that the group that works on or with the BRC bylaw was a very small group or community, and as such they were more hesitant to speak with me, and they gave me the impression that they were concerned about being identified. Furthermore, as I discuss in Chapter Three, many of the BRC workers expressed ongoing concern about the criminalization they face. Providing any demographic breakdown could unintentionally reveal their identities. As such I use gender-neutral pronouns throughout this dissertation, and I do not provide identifying characteristics. While I do not provide demographic information about the individuals that I spoke to, it is important to note that BRC and massage parlours are spaces that are racialized in Canada (Lam, 2016, 2019). For example, Lam's (2016) work speaks to the experiences of Chinese workers in Toronto and the impact the bylaw has on their working conditions. I discuss the racialization of the Edmonton BRC bylaw in greater depth in Chapter Seven.

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<sup>14</sup> In IE, standpoint is defined as “social position ‘informed by the bodily experiences, relevancies, and problems of a designated group of people’” (Bisailon, 2012, p. 169 as cited in Doll and Walby, 2019, p. 149).

The people that I spoke with all had a diversity of occupations and connections to the bylaw. Some had experience navigating the new bylaw, others had experience writing the bylaw and consulting with experts and community members, and others had experience helping enact parts of the bylaw—such as helping run the Business License Information Session. This meant that individuals had varying proximities to the institution of municipal governance. Many of the individuals I spoke with engaged in creating and enacting BRC bylaw by participating on the Body Rub Centre Task Force, or through their presentations to the BRC Task Force or to city council. Furthermore, everyone’s work was both shaped by these bylaws and shaped the bylaws, whether the individual was a municipal bureaucrat or a BRC worker. For example, some workers have been advocates around the changes to the bylaw, while others navigated the new regulations in order to get their license. In addition, some city officials enacted or enforced the bylaw by working directly with BRC workers and owners, while others engaged in the writing of the bylaw. People had multiple standpoints from which they engaged with the bylaw; for example some had experience working in BRCs, while others had worked with the BRC Task Force and now worked with community-based groups to support sex workers.

I used an in-depth qualitative style of discussion. This type of discussion is concerned with investigating more personal matters such as individual’s lived experiences, their values, their perspectives, or their cultural knowledge (Johnson, 2002). I utilized an open-ended discussion style, and the discussions lasted anywhere between fifteen minutes and three hours. I talked to people throughout the city, including at the City Hall in Edmonton, coffee shops, and over the phone. In addition to the detailed

questions I had submitted to the Ethics Committee, I also asked individuals if there were any topics or issues that we did not cover that they would like to discuss during the conversation. As I had three groups of people that I spoke with, I had three separate sets of discussion questions: one for city officials and municipal bureaucrats, one for BRC practitioners and owners, and one for those from community organizations. It is also important to note that some individuals did not fall within just one group. For example, some BRC workers were also BRC owners, and some individuals from community-based organizations were former BRC workers. In these cases, using an in-depth and open-ended discussion style was very helpful, as I could move between different sets of discussion questions, and I could gain greater insight than if I only asked the individual one set of questions. In addition, by asking individuals if they had any other topics that they wanted to discuss I was able to explore the varied standpoints and perspectives that individuals brought to their work around the BRC bylaws (Haraway, 1988). When talking to people, as well as with my participant-observation and textual analysis, I was trying to discover the ways in which individual's experiences were impacted by institutional ruling relations. In light of this, individual recruitment played a significant part in how I was able to gain this understanding.

### ***Individual Recruitment***

#### *1) Municipal Bureaucrats*

I began recruiting individuals by reading through the Body Rub Centre Task Force and by emailing the main individuals responsible for the implementation of the Body Rub Centre Task Force. Contacting some municipal bureaucrats was relatively straightforward as their contact information, including email and phone numbers, are publicly available

online. I often began by calling the city official's office and talking to their support staff; this helped me ensure that I sent the information to the appropriate email address, plus working directly with their staff helped with organizing dates and locations for discussions. Making connections with the appropriate staff was a meaningful way of obtaining the best email address to reach them at and was an effective way of engaging with municipal bureaucrats, who play a role in the creation but also in the enactment of BRC bylaw. It also helped me get into contact with the individuals who are particularly passionate about the work the city had done on the BRC bylaws.

I also attended community events so that I could meet city officials in person prior to emailing or phoning their offices. My entry point for this was to attend the public event for Ward Four called "What does your Vision of Edmonton look like in 2050?" hosted in March 2018. Here I was able to connect with support staff who directed me to some of the most prominent voices at the City of Edmonton with regards to the issue of BRCs.

## *2) Body Rub Centre Practitioners and Owners*

I began by contacting BRC owners through their publicly available email addresses. This limited the number of owners that I could reach out to, as many of the centres in Edmonton do not have email addresses. Even though I emailed a few owners, I did not receive a lot of responses. I was able to connect with one owner who is also a sex worker advocate and a current practitioner. I utilized the snowball method to make connections with other sex workers. They were able to connect me with other sex workers in the city. I also asked all of the people that I spoke with if they had recommendations as to whom to speak to, and some offered to see if the owners and practitioners they knew would be comfortable talking to me.

### *3) Community Based Organizations*

Similar to the outreach I did with city officials, owners and practitioners, I often began by reaching out to organizations through their website or email, and I also called a few of them to make a personal connection prior to sending an email. Again, I used the snowball method, and many of the individuals I spoke with were able to connect me with individuals from various organizations. In my initial application to the Ethics Committee, members of community-based organizations had not been included; however, as my research progressed and I spoke with people who had a variety of lived experiences and varying standpoints in relation to BRC work, it became clear that talking with people from these organizations would help reveal the BRC ruling relations in greater depth. These discussions became important nodes in the research process, and also emphasized the non-linear nature of this work.

### ***Challenges***

At times I experienced some significant challenges with recruiting individuals to talk to. I experienced this challenge with practitioners and owners as well as with recruiting individuals who work as municipal bureaucrats and community organization members. As I discovered over the course of the research process, there were many reasons that individuals were hesitant to talk to me about this topic. With regards to city officials and municipal bureaucrats, there were many individuals who did not consider themselves an expert or enough of an expert, and therefore felt that they could not contribute to the project. For example, one city official stated, “Good. Good. Sorry I am a bit late. Before we start, X really knows way more about this than I do” (Discussion 10, September 24, 2018). Another individual told me, “Well, I think X from X is probably one of the best ones for that, she’s done a ton of work in that area, and has been a sort of

leading voice in these conversations” (Discussion 8, August 30, 2018). What I noticed is that often individuals would invalidate their own experiences and work as a city official or municipal bureaucrat. One way I tried to work through this challenge was by talking to some individuals over the phone informally prior to any formal discussion. Typically, people had questions about the nature of the research, what stage I was at in my PhD, and what I wanted to do with the research after I was done my PhD. When I spoke to people, I often emphasized the importance of individual experiences and that everyone has important contributions to make. There were a few individuals who simply refused to talk with me because they felt that I had access to other resources and therefore had the information that I needed, or that there were “better experts” within the bureaucracy (Personal Correspondence December 12, 2018). It is possible that there may be other reasons why they would not want to talk to me. For example, they may have been concerned about getting into trouble at work or were concerned that they would say something wrong. However, these types of concerns were not brought to my attention by the individuals I approached. This does raise the question of who is considered an expert in BRC bylaws. As Mistress Matisse and other sex worker advocates and activists have pointed out, sex workers, who are the experts in their lived experiences and their labour, are often not considered experts when it comes to bureaucracy or legal regulations. I found that city bureaucrats and city officials who did not consider themselves experts often did not point me to sex worker advocates or activists to talk to; instead, they often pointed me to one particular community service provider, and other municipal bureaucrats or city officials. This highlights that despite the City’s engagement with some

sex workers in the bylaw consultation process, many officials still primarily considered their colleagues as the optimal experts in the field of BRC.

As I noted earlier, in addition to other approaches, I utilized the snowball method to talk to other people, and what I also noticed was that several individuals pointed me to two key people as the BRC experts—both of whom I was able to speak to. These two individuals had spent a significant amount of time working on the amendments to the bylaw, and on the enactment of the bylaw. One limitation is that I was not able to go into as detailed a mapping process as I would have liked. In order to map the institutional relations that shape BRC work, it was important that I hear from people who had differing experiences and relationships to the bylaw. For example, city officials who were not as close to the process of amending the bylaw still had an understanding of the “harm reduction” approach that the city wanted to focus on. Another example included talking to the individuals who help put on the Business License Information session. These people were uniquely situated as they work with new or current BRC workers, they enacted part of the bylaw, but they do not work on the enforcement aspect of the bylaw. As such, they had very different experiences with the enactment of the bylaw than the city officials who create or the bureaucrats who enforce it.

Similar to my experience trying to talk to municipal bureaucrats and city officials, I was not able to speak with some individuals from community-based organizations. However, others mentioned that they did not want to speak with me due to the nature of the research, and that the research project did not fit what they felt was the type of research that was needed (Personal Communication, May 11, 2018). Not being able to talk to some members of community-based organizations was a slight limitation to my

work. For example, some community organizations had presented to the City of Edmonton during the amendment process to the BRC bylaw and being able to talk to them and to hear their perspectives would have provided significant insight into these ruling relations.

### *Pseudonyms*

Many individuals, including both city officials and owners or practitioners, were not comfortable using their legal name, and many preferred to be referred to as a number or as a participant number. Some sex workers were comfortable with me using their working name; however, I was concerned that this could impact the confidentiality that I had discussed with them. Confidentiality and potentially revealing identifying aspects of a person was a concern to many of the people I talked to and was for me as well. One person told me about how small the community of city officials and bureaucrats who work on the issue of BRC is, so they asked that I not record the discussion, and use a number to identify them. In order to strive for uniformity in how I describe my discussions with people, and rather than utilizing the term participant or a number or a pseudonym, I have used work titles such as city official, municipal bureaucrat, practitioner, owner, advocate to be able to reflect the positionality of the person. Some people had many positionalities in relation to the bylaw. For example, one person I spoke with was a BRC owner, a sex work advocate, and was also currently working in their BRC. Furthermore, there was a significant gender disparity, particularly with regards to the individuals that I talked to from the city, so in order to not accidentally reveal identifying characteristics, I utilize gender-neutral pronouns when discussing the people that I spoke with. While this approach does create limitations to the project, I believe that

it is the best way to address the challenges laid out above and to respect the wishes of those I spoke with.

### ***Participant-Observation***

In addition to talking to people, I also attended various community events and events related specifically to the BRC bylaw. It was crucial to me as a researcher that I take the time to engage directly with the ruling relations that organize BRC sex workers' labour, and some aspects of the enactment of the bylaw. These participant observation sessions included attending public events such as: attending the Business License Information Session, and other community-based events. I attended community events for two primary reasons. First, I aimed to create a personal connection with a community organization that had either been recommended to me by someone I had already spoken with, or their work had come up in a conversation and I wanted to learn more about their work. Often when an organization was brought up, they described how the organization had impacted how they understood sex work and BRC, which in turn impacted how they created and put into play bylaws. Second, I wanted to gain greater knowledge about a particular aspect of a ruling relation that I could not gain from conversations with individuals. For example, I was able to talk with members of some community-based organizations that provide sexual health information and training sessions, and that work closely with the city. This allowed me to gain greater insight into the ways in which BRC bylaws organize BRC sex work through sexual health programs. This insight would not have been possible had I not engaged with community-based organizations.

One participant-observation session included attending the Business License Information Session<sup>15</sup>, which is a mandatory requirement for BRC workers to receive their license to work. Attending this information session was a central part of my research, and it is a predominant focus within this dissertation. Attending that session provided insight into the organization of BRC work that I could not gain from doing textual analysis or from discussions with bureaucrats or city officials. For example, while some of the people I spoke with talked to me about the training, it was very difficult to grasp the complexity and full extent of the content and design of the training, and the role that it played in the experiences of workers simply from the discussions that I had, especially from the discussions I had with city officials. Registration for these trainings is publicly available, which allowed me to attend the training held on October 4, 2018. This session also provided significant context to help me learn how the City conceptualizes BRC work and violence within BRCs. The session was run by municipal bureaucrats and individuals from two community-based organizations. Individuals from community-based organizations presented some information about sexual health and about addressing violence in the industry. In order to protect the identities of the individuals that I had formal discussions with I do not name the two community-based organizations in this dissertation. When I reference the material presented at this session, I reference it all under the blanket term of the Business License Information Session. This is also because the Information Session is hosted and organized by the City of Edmonton, and it is a formal requirement designed by the City in order to obtain a BRC practitioner license.

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<sup>15</sup> The bureaucrat that I spoke with referred to this as the Information Session (Discussion 1, April 24, 2018).

Another example included attending three public meetings hosted by REACH<sup>16</sup>. This organization had previously published a paper on what they considered the harmful impacts of BRC in Edmonton. Some of the meetings were focused broadly on the issue of crime prevention, and one in particular focused on the principle called Crime Prevention Through Environmental Design (CPTED) that the City of Edmonton utilizes. BRCs must have a CPTED audit when they first open, so in order to learn more about this requirement I attended a community event to hear from social services such as police and city officials about what CPTED is and how it is supposed to work.

#### *Extra-Local Ruling Relations*

While the examples above helped me understand the lived local work experiences of owners and workers, I also attended community events that spoke to extra-local relations. For example, I attended a workshop hosted by SHIFT called: *Sex Work and Harm Reduction Approach* in Lethbridge. Since sex workers' rights have been very important to me, particularly over the past few years, and I wanted to have their experiences highlighted in this research, it was important to me to engage with organizations that are specifically dedicated to sex workers' rights. Finding workshops like this one, held by an organization that supports sex workers (but is not a by sex workers for sex workers organization like POWER) was very difficult in Alberta. The fact that it required that I travel ten hours to be able to attend the workshop demonstrates how difficult it can be to access information on harm reduction and sex work in Alberta. By attending the SHIFT workshop, I was able to learn how a local (Calgary-based, non-

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<sup>16</sup> REACH Edmonton Council for Safe Communities is a community-based organization in Edmonton created in 2010. Their objective is to “increase community safety in our region; increase Edmontonians’ perception of safety and inclusion; and engage the people of Edmonton and the region in developing a culture of safety and crime prevention” (<https://reachedmonton.ca/>)

sex worker run) organization that supports sex workers conceptualizes the application of harm reduction to sex work. I was able to contrast this with how a by sex workers for sex workers organization like POWER conceptualized the relationship between harm reduction and sex work.

I tried to attend as many events as possible that were related to the key aspects of the ruling relations of BRCs that had emerged during my research including, those related to exploitation and human trafficking. I attended events that could either help me gain greater insight into a specific angle of a ruling relation, such as the impact of human trafficking discourses on the development and enactment of the BRC bylaw, or an event where I could make a closer connection with a community organization to hopefully be able to talk to them.

In addition to attending these community events, I also wrote research reflections and gathered various artefacts as discussed above. I gathered materials such as: information packages on sexual health, brochures on human trafficking and exploitation, sexual health materials such as condoms, and safety information including information on Crime Prevention Through Environmental Design (CPTED), and photographs.<sup>17</sup> In total, I have identified 174 artefacts, all of which have been stored and coded in NVivo. These have helped me understand how community safety is conceptualized, as well as understand how policing, sex work and crime prevention are discussed by community-based organizations.

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<sup>17</sup> Prior to attending this session, I had asked some of the individuals I had talked to about their thoughts on my attendance at this event, and they encouraged me to attend. This included one of the municipal bureaucrats running the session. During the session, participants were encouraged to take photos of the information slides and to take notes, which I did.

Scholars using IE try to not engage in data collection with the objective of explicitly categorizing data; some, such as Smith (1987, 2005) have noted that researching with the intent of categorizing data can obscure the nature of ruling relations that they are trying to explore and illuminate. Even though there is an explicit attempt with IE to subvert the “traditional lens of sociology” and to not categorize data or to essentialize individuals’ experiences, IE and the scholars who use it are still deeply embedded in power structures and systems, particularly the ruling relations in academia. As such, even when using great care in research, scholars may inadvertently categorize data. For example, contemporary research software such as NVivo still utilizes categories through coding practices to analyze data. Even though I used NVivo, I was conscious of the fact that the transcriptions of the discussions I had are created through interpretive processes, and as a result the researcher brings in their own social orientations and knowledge into the process of both data creation and interpretation (Haraway, 1988). As researchers, we must be mindful of the tendency to organize and interpret data subjectively, or to impose interpretation on conversations and individuals’ experiences (Walby, 2007). Researchers are located in particular times and places amid the particularities of our own everyday lives. Who and what we are surrounded by, our own personal histories, and the institutions and institutional power dynamics we are located in impact how we understand social power dynamics and social issues (Haraway, 1988; Smith, 1987, 2005; Ahmed, 2017; Walby, 2007). This impacts how we generate and shape research, and how we write about our research. For example, a colleague had suggested that I remove stutters or words that were misspoken from my transcription. They mentioned that this could embarrass the individuals I spoke with. However, this

vision constructs stutters, or “misspeaking” as improper and therefore inarticulate, or that they are themselves embarrassing. This overlays a classist tone onto the individual’s expressions, and as such, I have chosen to retain the exact words that individuals stated as much as possible.

### **Ethics Application and Ethical Considerations**

As I discussed above, it is crucial for researchers to consistently contemplate the power dynamics and institutional power relations that have played and continue to play a significant role in shaping research on sex work. This is particularly poignant in a PCEPA era where sex workers in Canada continue to face criminalization and stigmatization. Scholars and sex workers, including the BRC workers I spoke with, told me about how criminalization and stigmatization have contributed to the violence that sex workers face (see Lowman, 2000). Furthermore, scholars have noted that the hazardous nature of ethnographic research can be heightened in research with stigmatized and criminalized individuals such as sex workers (Zheng, 2013). The ethical dilemmas that researchers must consider include the formation of research questions, confidentiality, informed consent, and methodology (Zheng, 2013). While I have addressed some of these in the sections above, in this section I will focus on the ethical considerations and issues specifically related to research on sex work (rather than methodology).

As someone who has engaged with researchers on various contentious issues such as domestic and sexual violence and has experienced exploitation by researchers, it has been one of my goals to try and minimize the exploitative nature of my research project and my work as a researcher. Although I acknowledge that despite my attempts and my own critical analysis of academia, as a student I operate within a structure that remains

exploitative. Furthermore, given my position as a student and researcher I have certain power that may unintentionally contribute to the exploitative nature of academia. From the reliance on tuition fees from students and families to the exploitation of precarious Teaching Assistants, Research Assistants, and Contract Instructors, academia is fraught with power relations, which feed off the exploitation of students and the exploitation of stigmatized and marginalized individuals in order to personally benefit researchers or the institution. This has included, historically, the production of research that legitimized the criminalization of sex workers and contributed to the ongoing stigmatization of sex workers. For example, the works of MacKinnon (1989) and Farley (1998, 2004) have contributed to the conceptualization of sex work as a form of violence against women (Zheng, 2013). These arguments have been harnessed and mobilized by abolitionists to justify increased carceral politics, leading to the increased criminalization of both sex workers and clients (Berman, 2003). With this in mind, I have hoped to try and situate myself as a compassionate, ethical, and activist-oriented researcher, grounding my work in my previous experience of working and supporting POWER and the decriminalization of sex work in Canada. In order to do this, I highlight three primary areas: my research design, the structure of my research, and the presentation of my research findings in this dissertation.

### ***Research Design***

Throughout this chapter I have detailed the ways in which I have navigated complex ethical questions throughout my research design and process. For example, Zheng (2013) notes that confidentiality and individual recruitment are two important aspects to thoroughly reflect on when designing research with regards to sex work.

However, I would like to highlight two additional important considerations for research design in this section: compensation to those I spoke with, and research question design. Even though I was not able to talk to as many sex workers as bureaucrats and city officials, I was still very focused on a conscientious and ethical approach to engaging in research on sex work and with sex workers. Informed by my previous experiences being interviewed by researchers, I was very concerned with ensuring that I was able to pay the BRC sex workers that I spoke with. My previous experience as an interviewee embedded this desire and dedication to construct my research project around the notion that individuals who have been marginalized, stigmatized, or experienced violence deserve to and must be compensated appropriately for the research that they actively participate in. It was very important to me that I acknowledge the time and labour that sex workers put into talking to me, and that this time might mean taking time away from their family or from their job at the BRC. The lens from which I began was that engaging in a discussion was in and of itself a form of work—emotional, intellectual, and physical. However, this was a point of contention for the ethics committee in my ethics application. Originally, I had applied to pay workers \$100.00, or the same rate that they would be receiving for an hour of work (whichever was higher) at the BRC. This proposal was not accepted by the ethics committee. Compensating individuals can be seen as contentious, as some may argue that compensation could shape individuals' responses to the conversations, and the ethics committee may have assumed that sex workers may not be able to consent to an interview if money is seen as an incentive. However, I consider this a paternalistic way to approach sex workers and their role in research. I put to the committee that compensating sex workers for a discussion is a common practice in this field of research, and that even

though it cannot erase the stigmatization and criminalization that they encounter, I hoped that this effort can recognize the existence of the power dynamic between the BRC workers and the other individuals I spoke with. As an alternative, I offered workers \$100.00 for a one-hour discussion, and \$50.00 for every thirty minutes after the first hour. Explaining this point of contention is important to this project, because as D. Smith (1987, 2005) has pointed out, the ruling relations of academia and the university shape how and what research is done and by whom. It was important to me that I try to intervene in these ruling relations and the traditional lens of the ethics committee in order to pursue what I felt was a more ethical approach to research on sex work that focused on the labour and time of a conversation, particularly for individuals who experience criminalization. Although this cannot rectify the power dynamics between a researcher and individuals, this was one step that I chose to take. In addition, I chose not to compensate bureaucrats, city officials, or individuals from community-based organizations. I did this because these individuals were not experiencing the stigmatization or marginalization that the current sex work regulatory regimes were imposing on sex workers, and these individuals have a great degree of power within the bureaucracy of the city, as evidenced by their roles in both creating and enacting regulations onto sex workers. This stands in contrast to the experiences of BRC workers, whose work and everyday experiences at work are shaped by and organized by the bylaw and by these other people.

In addition to the ethical questions around compensation for sex workers, the design of research questions was critical to the ethical considerations of the broader research design. Zheng (2013) has noted that some scholarship on sex work has begun

with research questions that reproduce and reinforce a historical binary and oppositional construction of sex work as either exploitation or liberation. In order to move away from this dichotomy and towards a project centred on issues of labour, my project has focused on understanding the social organization of BRC sex work. While I will discuss stigma and criminalization, I avoid framing sex work as either exploitation or liberation. Furthermore, the discussions regarding my standpoint and activist experience situate this work within discussions around the decriminalization of sex work.

Finally, the city officials, bureaucrats, and members of community-based organizations often had complex understandings of sex work, the bylaw, and harm reduction. Many of these individuals often had a desire to support sex workers and did not have malicious intent of harming these workers. As such, my critiques in this dissertation are centered on the ways in which the bylaw and how it is enacted by officials, bureaucrats, and members of community-based organizations contributes to the ongoing stigmatization and criminalization of BRC workers. These critiques are born out of a space and a desire to create compassionate caring and productive critiques of the systems and structures that organize the work of BRC workers.

### **Structure of the Dissertation**

Finally, informed by the work of Elizabeth Bernstein (2007), quotes from individuals are heavily emphasized throughout the dissertation, even in chapters that are outside of the traditional “findings” sections. In addition, quotes from participants, extracts from my fieldnotes or my reflections, or important comments from sex work advocates greet readers at the beginning of each chapter, at the beginning of paragraphs, and chapter titles or section titles consist in part of significant wording or quotes. For example, “Flying

Dental Dams and Nuva Rings: Using Institutional Ethnography to Investigate the Regulation of BRCs” is inspired by the flight of an IUD and the discussion of how to build a dental dam out of a condom during one event I attended. Inspired by Bernstein (2007), who moved between scholarly literature, analysis, and field notes, and by Megan Rivers-Moore’s (2016) ethnography, this style of writing allowed me to weave together important moments from my research and individuals’ lived local experiences with the existing scholarly literature. With this in mind, the following chapter will attend to the existing scholarly literature on the legal regulation of sex work in Canada and will focus on the extra-local institutional relations that organize BRC sex work. In order to do so I discuss the intersection of the federal Criminal Code, Alberta provincial legislation, and the municipal BRC bylaw.

## Chapter Three

### **“They’re not doing anything illegal”<sup>18</sup>: The intersection of Bylaw, Alberta law and the Criminal Code**

So, it’s, it’s this sort of awkward middle position, because we would say if you ask most Canadians is prostitution legal? They would say no, and yet the City of Edmonton has certified Body Rub Centers.... (Member of community-based organization, Discussion 4, May 28, 2018)

Above is a snapshot from a discussion I had with an individual from a community-based organization in Edmonton. It points to one key tension that exists within the enactment of the BRC bylaw and illustrates the confusion around the legality of sex work in Canada and how this current legal landscape has shaped the BRC bylaw. Individuals that I spoke with often told me about how confusing it is to them that sex work is criminalized in Canada while at the same time, the city of Edmonton is still able to provide licenses for BRCs. This sentiment of confusion and at times frustration was expressed by city officials, municipal bureaucrats, those from community-based organizations, and some workers. In this chapter, I explore this tension between the Criminal Code and the bylaw by detailing the deeply interconnected and often contradictory relationship between these two sets of regulations. Further, I draw on van der Meulen and Durisin (2008) to illustrate the ways in which provincial legislation is enacted in conjunction with the bylaw and the Criminal Code to shape and organize BRC sex work in Edmonton. The relationship between the Criminal Code and the bylaw illustrates the more overt carceral logics that are enmeshed in the BRC bylaw, which contributes to the carceral nature of the City’s harm reduction approach as I discuss in greater depth in Chapter Four. In this chapter, I explore the tensions and contradictions

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<sup>18</sup> Municipal bureaucrat, Discussion 1, April 24, 2018.

that have arisen given the connection between these three levels of legal regulations. I begin from the point that each level of government has played a role in the social organization of BRC sex work, and that each of these larger forms of governance are not standalone institutions; rather they exist as dynamic, interconnected, and embedded sets of ruling relations that impact and influence one another (Smith, 1987, 2005).

Scholars have highlighted the particular ways in which sex work in Canada is formally regulated through two types of regulations: i) the federally legislated Criminal Code, and ii) municipal zoning and licensing bylaw regimes (Lam, 2016; van der Meulen and Valverde, 2013). By examining the interconnections between federal, provincial, and municipal regulations I am able to explore both the local setting where life is lived, such as individuals' experiences at work in the BRC or in their personal lives, and the extra-local setting, such as the enactment of the BRC bylaw in conjunction with the new Criminal Code provisions related to sex work (Campbell and Gregor, 2008, p. 29; Hussey, 2012). The relationship between municipal regulations and other legislation was highlighted by one municipal bureaucrat who told me, "So bylaw really tries to not duplicate, knowing that kind of municipalities are kind of the bottom rung in terms of legislation. We have to comply with all other higher orders of legislation" (Municipal bureaucrat, Discussion 1, April 24, 2018).

This chapter will be organized as follows: I begin by briefly discussing the everyday work experiences of the BRC workers I spoke with. Keeping these experiences in mind, I then detail the historical trajectory of the development of the Criminal Code sections related to sex work in Canada. The second section will lay out the development of the current BRC bylaw, the third section will discuss two pieces of provincial

legislation, and I will finish by discussing the connection between the Criminal Code and the bylaw. This structure is used in order to provide a streamlined view of each set of the institutional relations that have shaped BRC sex work in Edmonton and is meant to flow into the next section of the dissertation, where I discuss the enactment of these three relations. My aim is to juxtapose the everyday work experiences of BRC workers with existing legislations, and to highlight the intersections between the Criminal Code, provincial legislation and the municipal bylaw.

### **“Oldest Profession in the World”<sup>19</sup>: Body Rub Centre Work**

As I briefly noted in Chapter One, there are a variety of types of work that sex workers engage in. BRC work falls within what is typically referred to as “incall work.” Drawing on Bruckert and Parent (2014), incall work is broadly defined as: “providing sexual services in establishments” (p. 97). Some of these establishments provide non-contact erotic entertainment, some offer massage and manual stimulation, some offer complete sexual services, and some are dungeons that focus on domination and submission work (Bruckert and Parent, 2014, p. 97). Incall work can also be organized through what Bruckert and Parent (2014) refer to as a “third party.” In the case of this project, the workers that I spoke with referred to their boss, who, in some cases, was the BRC owner. In their research, Bruckert and Parent (2014) found that third parties can provide services like security, maintaining bad date lists, establishing emergency protocols, and providing administrative support, among other things (p. 97). Bruckert and Chabot (2010) found that workers have varied experiences with third parties: some

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<sup>19</sup> Current BRC worker, Discussion 18, January 25, 2019.

workers get valuable services, while other workers may experience exploitation (Bruckert, and Chabot, 2010). In light of this, the following section provides some details about the everyday work experiences of the BRC workers I spoke with.

### **Everyday Work of BRC Workers in Edmonton**

The workers that I spoke with had been involved in BRC work for different reasons and for different amounts of time. One worker had been at their current BRC for two months after returning to BRC work after taking a hiatus (Discussion 17, January 24, 2019). Another worker had been involved in BRC work and street-based work and has been involved in sex work advocacy since at least 1985 (Current BRC worker and Owner, Discussion 9, September 13, 2018). Some workers told me about how they had worked in different types of sex work. For example, one person explained how they hadn't been working at the BRC for very long at that time, but that they had previously worked as a stripper for twenty years (Discussion 18, January 25, 2019).

Others told me about the different reasons why they work in BRCs. For example, one current BRC worker explained how they had a chronic illness and that is one reason why they worked in a BRC. They told me,

Normal jobs, they don't hire you if you have like health problems, because they consider you a liability. Yeah, and there's like a lot of girls and they tell me they have fibromyalgia and when they have really bad days, and they have to miss a couple days work they end up getting fired because of it. So, like, honestly, a lot of women that are in this industry, because they have a chronic illness and aren't able to hold a regular job, and that is kinda where I stand (Discussion 16, January 23, 2019)

In contrast, another current worker and owner discussed how their studio started off “fairly small,” and that originally it was meant for them and their partner to work out of.

In describing their environment, this person said, “I mean I'm a worker, I'm working

with my colleagues” (Discussion 9, September 13, 2018). A former worker explained they had gotten into BRC work because they had some credit card debt, and they were working five part time jobs averaging 96 hours a week. They told me about how they worked as a dominatrix in their studio, and also travelled internationally with their clients, who included local doctors and lawyers (Discussion 3, May 11, 2018). This former worker had worked in three different studios every year for three years, and when they found they couldn’t handle working for certain people they decided to open up their own studio (Discussion 3, May 11, 2018). This former BRC worker and owner said they ended up leaving BRC work because they found that it took an emotional toll on them (Discussion 3, May 11, 2018). This concern with some colleagues was reiterated by one worker who told me about how they had different experiences working with male and female owners (Discussion 17, January 24, 2019). Another current worker described their work location as cute, quaint, and very discrete. They discussed how their colleagues are really nice and their boss is “awesome” and described their boss as “the best boss I’ve ever had” (Discussion 17, January 24, 2019).

One person told me about how they specialize in dominatrix work and fetishes, and part of their work is research and finding just the right supplies (Discussion 17, January 24, 2019). This same worker emphasized how important health was to them, and they emphasized how important condoms are to them for their work (Discussion 17, January 24, 2019). Another worker explained that their work included managing their ads, including their websites and their ads on LeoList<sup>20</sup> (Discussion 18, January 25, 2019). While I wasn’t able to speak with many current BRC workers, their stories

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<sup>20</sup> LeoList is a Canadian classified ads website where people advertise anything from cars to real estate and was cited by some sex workers as a site they use to advertise their work.

provide some insight into the day-to-day activities and the experiences that have impacted their work. As highlighted here, their work is mediated by their colleagues and their boss, and as I will discuss later, their work is also mediated by clients. In addition, BRC work has been shaped by the historical regulation of sex work in Canada as well as by the contemporary Criminal Code. The following section explores the historical trajectory of these regulations.

### **“Three Quarters Legal”<sup>21</sup>: Federal Regulation of Sex Work in Canada**

Compared to other countries, Canada has opted for a “repressive model” of sex work regulation, which has been geared towards reducing or eliminating activities that “upset the public morality” (Corriveau, 2013, p. 34). Prior to the establishment of criminal law as the jurisdiction of the federal government in 1867, the government focused on criminalizing activities related to sex work and had regulations aimed at reducing street-based sex work, brothels, and vagrancy, as well as “protecting” women and girls from “defilement through false pretenses” (van der Meulen and Durisin, 2018, p. 34). Between 1865 and 1870, sex work was regulated through public health regulations, specifically the *Contagious Disease Act*<sup>22</sup> (Backhouse, 1991; van der Meulen and Durisin, 2018; Gacek and Jochelson, 2019); however, in 1869 politicians introduced various laws to regulate sex work through a moral lens by introducing *An Act Respecting Vagrants* or the *Vagrancy Act* (van der Meulen and Durisin, 2018). The regulation of sex work has historically played a role in the Government of Canada’s harmful colonial

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<sup>21</sup> Current BRC worker, Discussion 18, January 25, 2019.

<sup>22</sup> At the time, in Canada there weren’t any certified hospitals, so the *Contagious Disease Act* was never completely enacted, and in 1870 it expired (van der Meulen and Durisin, 2018).

project; of particular importance was the 1879 amendment to the *Indian Act*, which criminalized Indigenous women “who were suspected of selling sex in a bawdy house or other locations” (van der Meulen and Durisin, 2018, p. 35). The objective of this amendment was “to prevent racial mixing between Indigenous women and white settlers” and to preserve the project of settling Canada as a white nation (van der Meulen and Durisin, 2018, p. 35-36). The enactment of this law meant that Indigenous women could be pushed out of towns (Boyer, 2009). In 1892, all of the criminal laws were amalgamated into Canada’s Criminal Code (van der Meulen and Durisin, 2018), and the vagrancy sections from the Criminal Code of 1892 remained relatively unchanged until 1972 when the government created the solicitation in a public place section<sup>23</sup> of the Criminal Code (van der Meulen and Durisin, 2018; Corriveau, 2013). This was one of the first times in Canada when *being* a sex worker was not illegal but rather criminalization *was placed on the behavior rather than the individual*<sup>24</sup> (van der Meulen and Durisin, 2018; Corriveau, 2013). In 1985, the government introduced Bill C-49 *An Act to Amend the Criminal Code (Prostitution)* to replace the previous solicitation law with a law designed to criminalize communication for the purpose of engaging in sex work for both sex workers and clients, held sex workers liable for the “mere suggestion of sex” (van der Meulen and Durisin, 2018, p. 39; Corriveau, 2013), and increased control over street-based sex work (Corriveau, 2013; Crago and Clamen, 2013)<sup>25</sup>. Over the years, the

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<sup>23</sup> This section was later renumbered Section 213 (van der Meulen, Durisin, 2018).

<sup>24</sup> Emphasis added by me.

<sup>25</sup> Bill C-49 (1985) prohibited “communicating for the purpose of prostitution” (Crago and Clamen, 2013). Crago and Clamen (2013) argue that this widened the net of criminalization over more activities and impacted both the clients and sex workers (p. 149). The introduction and implementation of Bill C-49 (1985) reinforced and heightened the existing stigma that sex workers faced, as the implementation of this legislation was followed by large-scale police raids of sex work locations (Crago and Clamen, 2013).

prominent Criminal Code provisions related to sex work evolved into Section 210 (bawdy house), 212 (living off the avails), and 213 (communication) (Lowman, 2013). Over the last few decades studies have found that this repressive model contributes to the violence and stigmatization that workers face (see Lowman, 2013; Bruckert and Hannem, 2013; Crago and Clamen, 2013).

The constitutionality of Sections 210, 212, and 213 were challenged by sex workers and sex worker advocates (Lowman, 2013; Corriveau, 2013). This challenge was brought forward twice in Ontario in *Bedford v. Canada* (2010) (Ontario Superior Court) and *Attorney General v. Bedford* (2012) in the Ontario Court of Appeal for Ontario (Lowman, 2013), and in *Attorney General v. Bedford, Lebovitch, and Scott* (2013) at the SCC (van der Meulen and Durisin, 2018). In 2013, the Supreme Court of Canada found that these sections were unconstitutional as they violated sex workers' right to security of the person as per section seven of the Charter (Belak and Bennett, 2016). In response to this decision, the federal government created new Criminal Code provisions through what has been colloquially referred to as Bill C-36 (2014) or the *Protection of Communities and Exploited Persons Act* (PCEPA), which was a shift away from the treatment of sex work as a 'nuisance' to treating sex work as a form of sexual exploitation (Belak and Bennett, 2016). This law introduced new and amended Criminal Code sections that addressed the following: "paying for sexual services, communicating to exchange sexual services, profiting as a third party from someone else's sexual services, procuring (hiring or inducing) someone to provide sexual services, and third-party advertising to provide sexual services" (Belak and Bennett, 2016, p. 4)<sup>26</sup>. Since the introduction of PCEPA, the

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<sup>26</sup> More specifically, these new Criminal Code sections are: 1) "section 213(1.1): offering, providing or obtaining sexual services for communication-in a public place, or in any place open to the public view, that

constitutionality of certain provisions have been challenged in court, such as the case of *R. v. Anwar* (2020) in Ontario (*R. v. Anwar*, 2020; Hayes, 2020). In addition, in March 2021, the Canadian Alliance for Sex Work Law reform along with other applicants submitted a Notice of Application “seeking to strike down the sex work prohibitions against impeding traffic (s.213(1)), public communication (s.213.(1.1)), purchasing (s.286.1(1)), recruiting (s.286.3(1)), and advertising (s.286.4)” of the Canadian Criminal Code (Canadian Alliance for Sex Work Law Reform, 2021, par 1 ).

In addition to the Criminal Code, scholars have also noted the importance of municipal bylaws in the regulation of both sexuality and sex work (see Sayers, 2018; Lam, 2016; Anderson et al, 2015). While municipalities do not have the legislative authority to prohibit sex work within city boundaries, many of them (such as: Edmonton, Toronto, Vancouver) have taken steps to regulate, restrict, or eliminate sex work by imposing restrictive conditions such as high yearly fees for business and practitioner licenses through bylaw and zoning regimes (Craig, 2011; Ferris, 2015; Ross, 2010). Van der Meulen and Durisin (2008) argue that bylaws are one of the main mechanisms that cities have to control the sex industry (p. 297). Licenses and bylaw regimes provide a means for municipalities to control the nature and prevalence of the sex industry by collecting licensing fees for city revenue and forcing compliance through fear of reprisal with health and safety guidelines (Lam, 2016; Childs et al, 2006 as cited in van der Meulen and Valverde, 2013). These regulations are mostly enforced by “street-level

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is or is next to a place where persons under the age of 18 can reasonably be expected to be present”; 2) Section 286 1(1): “a prohibition against the purchase of sexual services” (Gacek and Jochelson, 2019, p. 78-79); 3) Section 286.2 “prohibitions on receiving ‘financial or other material benefit’ from sex work; 4) Section 286.3 “prohibitions on procuring sexual services through recruiting, harbouring, concealing or holding a person for the purpose of sex work” (Gacek and Jochelson, 2019, p. 81); Section 286.4: “prohibition against advertising of sexual services” (Gacek and Jochelson, 2019, p. 82).

bureaucrats,” which include urban planners, public health officials, licensing officers, local councillors, environmental health inspectors (Hubbard and Colosi, 2013), and city workers who disseminate information regarding city bylaws and licensing<sup>27</sup>. These “street-level bureaucrats” exercise considerable power as they process applications for licenses, and elected councillors can approve or refuse particular types of business licenses (Hubbard and Colosi, 2013). In this dissertation, “street-level bureaucrats” are those who create and/or put into action the BRC bylaw in Edmonton, and they extend beyond bylaw officers and include individuals from community-based organizations, municipal bureaucrats who create policy, and city officials.

In recent years, municipalities across Canada have created strict bylaw regimes to restrict indoor-based sex work locations—particularly massage parlours (also known as body-rub parlours or body rub centres). For example, Lam’s (2016) research highlights how strict bylaw regimes impact sex workers in Toronto. Lam (2016) found that Toronto’s bylaws governing health and safety inspections and the “write ups” that inspectors prepare create significant challenges for BRC workers to manage their own health and safety. BRC owners and managers made sure that the inspectors did not find any evidence of sex work by ensuring that workers did not have sexual health materials like condoms in their rooms or in their bags (Lam, 2016). While bylaws cannot technically regulate sex work, as Lam (2016) and van der Meulen and Durisin (2008) have found, they can make it more difficult for workers to do their job.

Furthermore, scholars have found that bylaw regimes treat types of sex work differently. While indoor-based work such as licensed escort agencies and massage

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<sup>27</sup> For example, the workers who answer questions about municipal bylaws through the 311-telephone line.

parlours are regulated through bylaw regimes that are more akin to legalization or quasi-criminalization than criminalization, there has been a continued trend to criminalize (rather than regulate or legalize) street-based sex work (Ferris, 2015; Crago and Clamen, 2013; Brock, Gillies, Oliver, and Sutdhibasilp, 2000). With this distinction in mind, the following section will explore the historical development of the BRC bylaw in Edmonton.

### **“Body Rubber”<sup>28</sup>: The Original Body Rub Bylaw**

The City of Edmonton originally introduced a bylaw to regulate BRCs in 1976 (City of Edmonton, 1976–1977). During the first rendering of this bylaw, the City regulated both therapeutic and erotic massage under one bylaw (this was amended in one of the sets of changes to the bylaw); however, the two types of massage were defined differently. Originally, “body rub” was defined as:

kneading, manipulating, rubbing, touching, or stimulating, by any means, of a person’s body or part thereof, but does not include medical or therapeutic massage treatments given by a person duly licensed or registered as a massagist under the laws of the province of Alberta or this Bylaw (City of Edmonton, 1976–1977, p. 1).

What is important in this definition is that while it does not indicate that the massage may be erotic in nature, the definition makes the distinction between a body rub and a therapeutic massage. In contrast to the definition above, a therapeutic massage is defined in almost the same way in that it is “the kneading, manipulating, rubbing, touching, or stimulating of a person’s body” but is done for “medical or therapeutic reasons” (City of Edmonton, 1976-1977, p. 2). Furthermore, in the original bylaw, a “body rub” is administered by a “body rubber” (City of Edmonton, 1976-1977, p. 2). The definition used

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<sup>28</sup> Body Rubber is the original term used to reference those who work as body rub practitioners under the original BRC bylaw (City of Edmonton, 1976-1977).

by the city becomes especially important in the contemporary regulation of BRC work and how city officials view what the bylaw regulates. I return to this later in this chapter.

In this first rendition of the bylaw, there are overt connections to “controlling” BRC, and the distinct role that medical examiners and the police played in the enactment of this bylaw. This is evidenced in the original title of the bylaw, which was “Bylaw No. 4884: A Bylaw to Regulate, License, and *Control* Body Rub Parlours and Massage Clinics” (City of Edmonton, 1976-1977, p. 1; emphasis mine). Furthermore, under the initial bylaw, the Chief of Police and the Medical Officer of Health reviewed applications for BRC workers and were the sole individuals who decided who was allowed to have a license (City of Edmonton, 1976–1977, p. 8)<sup>29</sup>. The role of policing and control of BRCs will be discussed further in Chapter Five. However, the original bylaw illustrates a historical pattern of the policing and surveillance of BRC workers through the regulatory system of bylaws and licensing in Edmonton.

### **Body Rub Practitioner: The Contemporary Bylaw**

Over time, the original bylaw was amended several times. In the most recent version, BRCs are regulated through the Business License Bylaw 13138 (City of Edmonton, 2019). BRC workers are referred to as Body Rub Practitioners, and the definition of the licensee for this work is:

a person who administers or offers to administer external manipulation of the soft tissue of the human body for a fee, including any manipulation of an adult or

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<sup>29</sup> As noted in the previous chapter, it was difficult to obtain all potentially relevant historical iterations of the body rub centre regulations in a timely manner. I was not able to track in a detailed manner all of the changes that were made in each version of the bylaw as the City of Edmonton archives had been under construction for more than a year and only certain parts of the bylaws were scanned at that time and made available to the public.

erotic nature, but not including health enhancement practitioners (City of Edmonton, Business License Classification, n.d.).

In addition, a BRC is defined as:

a premise or any part thereof where members of the general public attend, are invited to attend, or through which they may arrange an appointment to receive the physical external manipulation of the soft tissues of the human body for a fee, including any manipulation of an adult or erotic nature, but not including Health Enhancement Centres (City of Edmonton, Business License Classification, n.d.)

Contrary to the original bylaw, this rendition explicitly acknowledges the erotic nature of the work that may occur in a BRC. These definitions are important sites of tension for the City of Edmonton, which I return to in great depth at the end of this chapter. The City arrived at these current definitions and regulations through a series of consultations, a Body Rub Working Group, and through the work of the 2014–2015 Body Rub Centre Task Force. Prior to the creation of the Task Force in 2014, the City of Edmonton administration had conducted two sets of focus groups with BRC owners, “interviews with practitioners,” and had a facilitated session with the Body Rub Centre Working Group (City of Edmonton, Community Services Report, September 3, 2014(b)). Prior to the establishment of the Task Force, the city had a Body Rub Centres Working Group composed of key stakeholders. This group: provided research on the locations of BRCs and on their perceived impact; conducted “a review of Body Rub Centre Statistics for Edmonton”; collected information on the status of women; gathered information from municipal enforcement agencies, police from other provinces, and research on the “economic analysis of the industry”; and helped develop the terms of reference for the Body Rub Centre Task Force (City of Edmonton, Community Services Report, September 3, 2014(b)).

The results of all the consultations were used to help guide the Task Force’s work (City of Edmonton, Community Services Report, September 3, 2014(b)). The mandate of

the BRC Task Force was to engage with stakeholders including BRC practitioners and owners, conduct evidence on the impact of BRCs and their current locations, and provide recommendations to the City for additional enforcement strategies and strategies for solutions to any noted problems with BRCs (City of Edmonton, BRC Task Force Terms of Reference, June, 2014(a)). The Task Force consisted of: one city councillor, one person from the Sustainable Development program of the City of Edmonton, one person from the Edmonton Police Service (EPS), two people from the Centre to End All Sexual Exploitation (CEASE), one person from a community organization directly impacted by BRCs, one person from the Government of Canada, one person from the Government of Alberta, one BRC owner without any registered complaints against them, and two practitioners, of whom at least one had to be a current BRC practitioner (City of Edmonton, Task Force Terms of Reference, June, 2014(a)). When asked about their perceptions of the effectiveness of the Task Force as a process for amending this bylaw, one city official told me,

Well, I think that what was the best part of the Task Force: it was constructed of people who are directly connected to the circumstances either as practitioners, if you will, or support people who support these women and have advocated for their rights, both their safety and their rights for quite some time... So I think that there's no doubt that the diversity of the participants was appropriate and constructive, and I would suggest that anyone else, any other cities wanting to try and do what we're doing would, you know, ours is a process worth replicating (City official, Discussion 7, August 29, 2018).

A current BRC worker, owner, and sex work advocate in Edmonton told me they had a sense of excitement about the process and work of the Task Force:

Yeah, the formation of the body rub Task Force was in and of itself was pretty amazing. The fact that they listened to probably one hundred different people in all walks, and then had twenty members, again from all walks, and we compiled and listened to all the analysis, and then came to some compromises when we,

you know, brought the recommendations forward for the city... (Current worker, owner, and sex work advocate, Discussion 9, September 13, 2018)

According to this worker, this type of engagement with BRC workers and sex workers was new for the City of Edmonton. As a long-time sex worker advocate, they described how sex workers were not brought to the table in 1985 when the City was making changes to the bylaw, and as a result many workers were working independently without a license. The license in the early 1990s only allowed workers to work for someone or to own an agency and did not allow workers to work independently (Current worker, owner, sex worker advocate, Discussion 9, September 13, 2018 ). According to them, this issue with the 1985 bylaw and the changes that were made to it were a catalyst for bringing together sex workers across the city to advocate for their working conditions. They told me that because of their collective action, “they [referring to the City of Edmonton], you know, learned that they need to talk to the NGO groups that deal with us, they needed to deal with us, to listen to community leaders, and to listen to body rub owners” (Current worker, owner, and advocate, Discussion 9, September 13, 2018).

Since the completion of the Task Force’s work in 2015, the City created a BRC Task Force Implementation Team, which consists of municipal enforcement officers and a community liaison worker (City of Edmonton, Body Rub Centres Update-Annual Update, June 2018a). According to the BRC-Annual Update, this team is focused on the following five key areas:

1. implementing the twenty-six Task Force Recommendations approved by City Council in 2016;
2. Increase licensing compliance within the adult entertainment sector;
3. Implement actions that enhance harm reduction in BRC;
4. Increase physical safety measures within the licensed body rub centres;
5. Increase licensing compliance of improperly licensed adult entertainment facilities (City of Edmonton, 2018a, p. 1).

The Implementation Team also brings recommendations for other amendments to the bylaw to City Council Committees (Discussion 1, April 24, 2018). One municipal bureaucrat who works closely with the implementation team told me that these recommendations include “ensuring the bylaw is in line with the Criminal Code changes, working more integrated with other enforcement agencies. So not just EPS but also OH&S, for example, or Employment Standards” (Discussion 1, April 24, 2018). This emphasis on the connection between the two sets of regulations was also noted in the *BRC Task Force Final Report and Recommendations* (City of Edmonton, 2015), which recommended that the city explicitly work with provincial partners and work to find “compatibility between future policy direction and existing legislation...” (p. 7). During my discussion with this individual and in my review of BRC texts, what stood out is the obvious connection that the City bureaucrats made between the bylaw and the criminal code and provincial legislation. Their work is guided by a mandate to ensure that this is not only a City issue, but also that when creating and enacting the bylaw, they consider provincial and federal regulations (Discussion 1, April 24, 2018). This intersection is at the core of this project and manifested in various ways. In the following section I explore how these connections shape the bylaw and BRC work by discussing the *Occupational Health and Safety Code* (2018) and the *Employment Standards Code* (2018) (ESC).

### **Jurisdictional Intersection: Provincial Legislation and BRC Sex Work**

But I think just having this position has given us the opportunity to actually see what vulnerabilities exist. Talk to the people who are working in a different capacity. So that we, we can at least start to bring their voices into those conversations around what should be in the bylaws. What should it look like? What ability as a city do we have to, you know, help keep workers safe and advocate on their behalf? You know, if it doesn't fall to the City, we are starting you know, we sit around regular meeting tables with Employment Standards.

OH&S and those sorts of agencies then we can start to look at it from a bigger picture that likely won't fall in the bylaw, we don't want to duplicate other legislation. We just want to know what's out there, and who we can connect people with (Municipal bureaucrat, Discussion 1, April 24, 2018).

This is a short excerpt from a discussion I had with a municipal bureaucrat who works closely with BRC workers and spends a lot of time working on proposing changes to and implementing the BRC bylaw. These comments arose when they talked to me about how they perceived vulnerabilities for BRC workers that other workers like taxi drivers and hair stylists do not face, yet all of these different types of work are regulated under the same bylaw. I discuss the issues of vulnerability in Chapter Six, but what I want to emphasize here is how they talked about their work on the bylaw being shaped by provincial regulations. Following the work of Bruckert and Dufresne (2002) I consider that provincial legislation can play a role in how municipalities organize sex work (pp. 73-82). Drawing on this and the discussions I had, I identified three critical pieces of provincial legislation: the *Municipal Governance Act* (2016), the *Employment Standards Act* (2018), and *Occupational Health and Safety* (2018) (Government of Alberta)<sup>30</sup>.

### ***Shaping Alberta's Communities: The Municipal Government Act (2016)***

The *Municipal Government Act* (MGA) provides direction from the Government of Alberta to all of the provincial municipalities as to how they are supposed to function.

The MGA states that:

The purposes of a municipality are: a) to provide good government, b) to provide services, facilities or other things that, in the opinion of council are necessary or

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<sup>30</sup> It is important to note that during the course of writing this dissertation, Alberta held a provincial election. The NDP lost the majority, and the United Conservative Party took office in May 2019. To me, this symbolized a return to the conservative political roots of Alberta, but also represented a rise in a new ultra-right-wing conservatism that had not been seen in Alberta. Throughout my writing, the UCP undertook the extensive project of rewriting many pieces of Alberta's legislation, including those listed above. For the purpose of this dissertation, I have used those that I pulled in 2018, as those were the pieces of legislation that would have been in effect when I was talking to city officials, bureaucrats, and workers.

desirable for all or a part of the municipality, and c) to develop and maintain safe and viable communities (Government of Alberta, 2016, p. 35).

One of the most important aspects of the MGA is that it provides the structure for municipalities to create and pass bylaws to manage a city and grants the municipality the authority to engage in inspections of properties and businesses and in enforcing the bylaws (Government of Alberta, 2016). One city official told me about how their work was coordinated by this legislation: “Well they are super important, it’s part of our mandate is that as lawmakers you know jurisdictionally, we’re governed by the *Municipal Government Act*” (Discussion 7, August 29, 2018). What is notable here is that they recognize this legislation as a text that governs and structures how municipal officials are able to engage in their work. However, with regards to BRCs, unlike what Bruckert and Dufresne (2002) and Law (2015) found in their respective studies of strip club regulation in Ontario, the MGA does not lay out any particular regulations for municipalities to follow with regards to BRCs such as restrictions on the number of BRCs. With the MGA laying the foundation for the relationship between city officials and provincial legislation, bureaucrats also told me about the important and contradictory role that the *Employment Standards Code* (Government of Alberta, 2018) plays in the regulation of BRC sex work, to which I will now turn.

### ***Making the Workplace “Safe”?: Employment Standards Code and Occupational Health and Safety***

#### *Employment Standards Code-Alberta*

The Code does NOT apply to contractors—only employees.

You are a SELF-EMPLOYED PERSON, so you are not entitled to:

- A paid vacation or leave, including statutory holidays (that is, Christmas, Easter) and/or maternity leave

- EI or CPP<sup>31</sup> benefits
- WCB<sup>32</sup> or other types of work-related accident compensation
- Tax deductions directly from your pay: you can pay into these programs on your own taxes each year

But you ARE ENTITLED to:

- Work whenever you choose (at any or multiple studios/agencies)
- Claim most reasonable expenses as deductions against taxes (PowerPoint, Business License Information Session, October 4, 2018)

Above is a rendition of the information provided to me and other participants by the City of Edmonton bureaucrats at the Business License Information Session for current or new BRC workers and escorts. In this presentation, the municipal bureaucrats made it very clear that BRC workers and escorts are understood by the City as self-employed workers rather than as employees. However, what I seek to do in this section is illuminate how this conceptualization and categorization of these workers is not as clear cut as bureaucrats made it seem during the Business License Information Session, and that the relationship and coordination between the *Employment Standards Code* (Government of Alberta, 2018) and the BRC bylaw is wrought with tension and contradictions. The ESC shapes and organizes BRC work indirectly through the protections and benefits that it does not provide to BRC workers. Drawing on Bruckert and Parent (2014), I consider that the exclusion of incall workers from these protections and benefits contributes to the labour-market precarity of BRC workers (p. 101). This stands in contrast to the other regulations discussed in this chapter, like the Criminal Code and the Bylaw, which directly say how, when, and where BRC sex work can occur.

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<sup>31</sup> EI stands for Employment Insurance and is a benefit that can be provided by the Government of Canada (Government of Canada, 2021). CPP stands for the Canadian Pension Plan (Government of Canada, 2020).

<sup>32</sup> WCB stands for the Workers' Compensation Board. This is a provincial benefit, and it supports workers who get sick or injured at work (Worker's Compensation Board, 2020).

In Alberta, the ESC sets out the rules and compliances for employers and employees in the province (Government of Alberta, 2018). This includes regulations around the definition of employee, vacation, bereavement leaves, hours of work, termination, et cetera (Government of Alberta, 2018). Under the ESC, an employee is defined as “an individual employed to do work who receives or is entitled to wages and includes former employees” (Government of Alberta, 2018, p. 9). In contrast, the ESC is completely silent on the definition of self-employed people or contractors. In order to contextualize the meaning of self-employed in Alberta, workers can see which benefits they do not have access to in the ESC, but they can also look to the definition from the *Occupational Health and Safety Act* (2018), which defines a self-employed person as “a person who is engaged in an occupation but is not in the service of an employer for that occupation” (Government of Alberta, 2018, p. 10). Municipal bureaucrats told current and new BRC sex workers what kind of employment conditions we could access during the Business License Information Session (October 4, 2018). They told us that:

Body Rub Centre Owners CANNOT:

- Penalize you in any way for choosing not to stay with a certain client
- Determine what you do in the room with a client or how long you use it for— this is only between you and the client. Example: If you rent the room for 1 hour and only use it for 45 minutes this is none of the owner’s business
- Deduct room and board costs (unless you’ve authorized it) up to:
  - \$4.41 per day for housing
  - \$3.35 for each meal consumed which has been provided by the employer

We recommend that you talk to the centre owner about signing a work contract (PowerPoint, Business License Information Session, October 4, 2018)

In addition, as noted above, bureaucrats also recommended that we talk to BRC owners about signing a contract, which could include things like how a work schedule is set, fees

that you can be charged and the amount (example: room fee, advertising fee), and penalties (PowerPoint, Business License Information Session, October 4, 2018).

Despite the clear description provided at the Business Information Session, this categorization of BRC workers as “self-employed” rather than as employees, and the role that ESC plays in indirectly organizing work has been a source of tension for the City of Edmonton. This is a site of disjuncture between the text of the bylaw and how the bylaw is enacted. For example, the legal categorization of BRC work becomes extremely confusing when analyzing the BRC bylaw text. Contrary to what municipal bureaucrats tell potential new BRC workers in the Business License Information Session (October 4, 2018), the bylaw text refers to BRC workers as employees and as individuals employed in the BRC. While the technical term used in the bylaw for BRC workers is “practitioners,” under the regulations the person holding the license for the centre must: “keep a list of all persons employed in the Body Rub Centre including: the full name of each employee; the birth date of each employee; any pseudonyms or aliases by which each employee is known...” (City of Edmonton, Bylaw 13138, 2019). Here the bylaw text clearly refers to those who work in a BRC as employees; however, during the Business License Information Session the municipal bureaucrats running the session were very clear that BRC workers are not employees. During one discussion I had with a municipal bureaucrat who is responsible for the enactment of the bylaw, they described the relationship between the bylaw and the ESC as a grey area. They said that through their work they have formed a relationship with the people at Employment Standards Alberta because they felt that the issue of BRC obviously touched on the ESC and on ensuring workers’ rights (Discussion 2, May 7, 2018).

One member of a community-based organization who was involved in the discussions around the changes to the bylaw expressed their frustration about this disjuncture between the bylaw text and the way that the bylaw functions on the day to day:

...the simple fact is that owners are not employers, but in the bylaw, it is written the term employers is used, now get that word out of there, that's a whole bylaw change. Oh my gosh, here we are giving owners power and control over these workers, but the workers are actually not their employees. The owners get to sidestep any employee/employer responsibility... (Discussion 4, May 28, 2018).

In addition to this gap between the text of the bylaw and the way it is enacted, they continued on, telling me about the impacts they felt this has:

we've worked hard to create rights for women, fathers, and mothers, to have parental leave, you know, to have paid rest and vacation, those are employment rights that we've worked hard for. I don't think that if a massage parlour in the city shouldn't refer to people as employees if they don't get those rights (Discussion 4, May 28, 2018).

Here, this individual articulates that they feel that BRCs should not refer to BRC workers as employees if those workers are unable to access the rights afforded to those categorized as employees under provincial legislation. Further into our discussion they also added that this confusion and contradiction was often reproduced in the ads for BRC. They said, "If you look at any massage parlour ads, or body rub centre ads, they use the words employees and staff, but the women have no rights, we have worked so hard in society to create some rights for employees...." (Discussion 4, May 28, 2018). They told me about how the difference between being an employee and being a contractor can impact workers:

Let's say, I'm a single mom, and my child was sick all night, and I phone and say, "I can't come in," and the owner says, "Well you better get down here right away or you'll get fined, and if you're late you will get fined." So, this is a tool of

power and control that the owner uses over the person and it can be very punitive, very demeaning and damaging of a person's self-esteem (Member of a community-based organization, Discussion 4, May 28, 2018).

The confusing and complex relationship between the BRC bylaw and the ESC was also acknowledged by some of the municipal bureaucrats that I spoke with. For example, one municipal bureaucrat who works closely on proposing changes to the bylaw and with BRC workers said,

Employment Standards is tricky because practitioners working the studios are contractors, they're not employees. So, a large portion of the employment standards code doesn't apply. So, we're trying to figure out if they should be employees, if they should not, what parts of the code will apply, which parts don't (Discussion 1, April 24, 2018).

As evidenced by the quote above, the complex coordination between the BRC bylaw and the ESC is an ongoing issue for those who work on enacting and amending the bylaw. One way the city used to navigate this complexity was to have a representative come in from Alberta Employment Standards to speak about the difference between an employee and a contractor under the Alberta legislation (Member of Community based organization, Discussion 4, May 28, 2018). Unfortunately, when I attended the Business License Information Session, it was a municipal bureaucrat who explained the ESC and not a representative from Employment Standards Alberta (October 4, 2018). As demonstrated by the discussions I had and my observation of the Business License Information Session, there remains a disjuncture between the text of the bylaw and the employment relationship and conditions that BRC workers navigate. This intersection of the bylaw and employment standards legislations creates an additional regulatory complexity that bureaucrats and officials had to navigate when creating the bylaw. This could create an additional regulatory burden for BRC workers.

### ***Occupational Health and Safety and BRC***

...Just imagine an unhealthy working environment, which then makes it unsafe for people, if things are not cleaned carefully, if it's mice infested, if there's mold, if there's no escape routes, fire, all of those Occupational Health and Safety and building safety if they are not attended to that is where exploitation can thrive. (Member of community-based organization, Discussion 4, May 28, 2018)

This individual worked at a community-based organization in Edmonton and had extensive experience over the years providing input to the City about the bylaw. They had told me about how their opinion of the bylaw had shifted over the years, but when they brought up the issue of health and safety, they focused on the work environment and conditions as Occupational Health and Safety issues (Discussion 4, May 28, 2018). Other individuals that I spoke with also pointed to the relationship between OH&S and BRC (Discussion 1, April 24, 2018; Discussion 19, February 18, 2019). However, my work illustrates that similar to the role of ESC, the interplay between the bylaw and OH&S legislation has the potential to act as a double-edged sword regarding the protection it can provide to BRC workers.

In Alberta, OH&S legislation, along with its regulations and the corresponding code, “sets the minimum standards for workplace health and safety and outlines the roles and responsibilities of employers and workers” (Government of Alberta, 2019).<sup>33</sup> While this legislation is quite large, there are a few components that I would like to draw attention to. The purpose of the legislation is to promote both the physical and psychological well-being of workers, to prevent health problems, and to provide safe work sites (Government of Alberta, 2018, p. 12). This legislation also enshrines the right

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<sup>33</sup> It should be noted that the Government of Alberta made significant amendments to Alberta's OH&S legislation under the NDP. During the course of the discussions that I had with city officials, BRC workers, and bureaucrats, the changes were coming into effect, and City officials were still unsure how the changes could impact BRC. As I discussed earlier, since taking office in 2019, the UCP have begun to eliminate many of the changes that the NDP have brought in, including changes to legislation like the ESC.

for workers to have “meaningful participation in health and safety activities pertaining to their work and the work site,” and the “promotion and maintenance of the highest degree of physical, psychological, and social well-being of workers” (Government of Alberta, 2018, p. 12). Finally, since BRCs are licensed businesses in Edmonton and constitute work sites, this legislation enables provincial authorities to inspect them (Government of Alberta, 2018, p. 28). In Alberta, provincial authorities can issue an administrative penalty to contractors, workers, self-employed workers, prime contractors, supervisors, suppliers, service providers, owners, and temporary staffing agencies (Government of Alberta, n.d.). As a result, not only can the owners of a BRC receive an administrative penalty, but it could also be possible for a BRC worker, because of their status as a “self-employed” worker, to receive a penalty. However, it is important to note that none of the BRC workers that I spoke with raised this particular concern about receiving a fine or penalty due to health and safety issues, nor did the municipal bureaucrats who work closely with the bylaw.

Despite the role that OH&S legislation can play in fostering safe workplaces, when I spoke with municipal bureaucrats, the relationship between the enactment of the BRC bylaw and OH&S seemed tenuous and contradictory. During one of my first discussions with a municipal bureaucrat they explained how one of the good parts of their role with the City was the lens that they can bring to the work on BRCs, which they described as being different from how BRCs were treated prior to the Task Force and the bylaw change. This individual’s work includes implementing changes to the BRC bylaw, enacting parts of the bylaw, and working directly with BRC workers. They said,

Before, we would have said, the city would have just said, “well this is OH&S, or OH&S go in, write orders, and shut them down.” And so now, we have the ability

to say, “Whoa, whoa, whoa, let’s think about what this is actually going to do to the people in the industry.” And we want to hold the owners to that standard, but we don’t want them to just put everybody on the street again (Municipal bureaucrat, Discussion 1, April 24, 2018)

From our discussion, and as the quote above alludes to, they hinted that they were able to vocalize how shutting down BRCs through OH&S would impact workers. When talking about the ability for OH&S to possibly shut down centres, they said,: “But is that really what we want given that in all the forms of sex work that exist? Body rubs do provide, you know what is now a constitutional right of working together indoors in a safe environment” (Municipal bureaucrat, Discussion 1, April 24, 2018). However, they acknowledged that even though they have been able to vocalize certain problems with OH&S regulations and their impact on BRC work, that this is still a challenge that they are trying to navigate:

...OH&S legislation would be devastating probably to the body rub industry. Once all the new changes come in [*referring to changes the Government of Alberta made to OH&S legislation*]. We’re just trying to navigate how to do that, knowing that it is the law and they still need to comply with it, but in a way that doesn’t further put practitioners at risk by shutting down centres and pushing it underground, or on to online forums and hotels and private condos....we’re just trying to find a balance (Discussion 1, April 24, 2018 ).

Similar to the difficulties with the role of the ESC, this bureaucrat’s experience reveals the disjuncture between the objective of the legislation to make workplaces safer, while also simultaneously increasing the likelihood of workers being pushed into more dangerous forms of labour or eliminate their employment by taking away their place of work. For example, as this bureaucrat has pointed out, if OH&S shuts down BRCs, workers may have to work on the street or in unlicensed centres, which could make for more unsafe working conditions. Another key intersection, as I noted in the introduction, concerns the Criminal Code and how it continues to impact the lives and work of sex

workers, and in the following section I explore this aspect in the context of BRC work in Edmonton.

### **“Advertisements: Stay Classy”<sup>34</sup>: Criminal Code and BRC Work**

...But yeah, so we really felt we had a little more kind of wiggle room, I guess in terms of the city when the laws changed in 2014, to decriminalize the selling, that we can really a little more openly say that we are aiming to support people who are working in the sex industry, because it's no longer they're doing anything illegal (Municipal bureaucrat, Discussion 1, April 24, 2018)

This is a quote from a discussion I had with a municipal bureaucrat who has played a large role in the implementation of the BRC bylaw, and who works closely with BRC workers in Edmonton. In this part of our discussion, we talked about the recommendations from the BRC Task Force and the work that has been done in Edmonton to implement these changes. In our discussion, they had mentioned that part of the Task Force and the implementation work was related to “reviewing our bylaws to make sure they're in line with the Criminal Code changes” (Discussion 1, April 24, 2018). Above, they were referring to the changes that had been brought in under Bill C-36 in 2014 (Discussion 1, April 24, 2018). I would like to highlight two aspects of our conversation that stood out to me: the first is the impact the 2014 changes to the Criminal Code had on the bylaw and how this bureaucrat felt that the recent changes increased their ability to “support people who are working in the sex industry,” and the second is their statement that workers are no longer doing anything illegal. These two aspects of the conversation demonstrate how deeply interconnected the Criminal Code is with the BRC bylaw. As I explored the development of the recent BRC bylaw, it became clear

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<sup>34</sup> PowerPoint, Business License Information Session, October 4, 2018.

that the federal Criminal Code and the 2014 changes under PCEPA shaped the development of the changes to the BRC bylaw. For example, the 2015 Final Report from the BRC Task Force noted that the changes to the federal criminal code complicated the Task Force's effort to understand the legal context in which BRC regulations would exist (City of Edmonton, 2015). The report also notes the issue of a conflict between the federal law and the bylaw: specifically, the issue of whether or not PCEPA allowed the city to continue to regulate BRCs, an issue that was debated considerably by the Task Force (City of Edmonton, 2015, p. 5). The report states that while most members of the Task Force considered it the best and "safest option for practitioners, communities and clients" to continue to licence BRC, there were also a few members who had professional responsibilities to "uphold the law" who were uncomfortable with the city continuing to license BRCs "given their perceived potential legal conflict" (City of Edmonton, 2015, p. 5). One current BRC worker, owner, and sex work advocate told me about how one lawyer quit the Task Force in order to avoid voting on the final Task Force recommendations (Discussion 9, September 13, 2018). The impact that the Criminal Code had on the Task Force report was most evident in the recommendation that the city "improve the rigour of enforcement in partnership with the EPS Vice section to ensure businesses are not engaging in illegal activities" (City of Edmonton, 2015, p. 10). I discuss the intersection between the bylaw and police enforcement in Chapter Five.

In addition to shaping the work of the BRC Task Force, the Criminal Code also plays a role in how the bylaw is enacted in the everyday. For example, the Criminal Code has shaped what information is provided in the Business License Information Session. Those who wish to work in a BRC must attend this session in order to receive their

license. During the Information Session that I attended, it was a municipal bureaucrat, and not a lawyer who told us what was illegal for BRC workers to do, and so the information is interpreted through the lens of a municipal bureaucrat's understanding of PCEPA and the Criminal Code. For example, during the Information Session PCEPA was described as:

This law is not intended to interfere with people who chose this work and are selling their own services. Aims to protect people from being forced to work in the industry or being under the control of another person ('pimp'). If someone is being forced into this work, and/or someone else is keeping the money that is made—the other person is the one breaking the law. You should never fear calling police if you are the victim of any kind of crime, just because you were selling sex at the time of the occurrence (PowerPoint, Business License Information Session, October 4, 2018).

On this PowerPoint slide, this is more of an interpretation of PCEPA rather than a description of what changes have been made to the Code, or what that has done to impact the working conditions of escorts and BRC workers. In addition, the city provided some information about advertising, and we were told that it is against the law to “advertise sexual services (however there is immunity given to those who advertise their own sexual services), and for another person (pimp or centre owner) to advertise the sexual services of someone else (generally complaint driven only)” (PowerPoint from Business License Information Session, October 4, 2018). The PowerPoint noted the following recommendations regarding advertisements: “not too graphic or sexually explicit, not to mention services provided or prices” like “Promotions i.e.: Early Morning Special,” and “do not use photos that aren't you, especially if they seem to show the person to be underage or use language suggesting you're underage.” This was presented on a slide with a photo of Ron Burgundy from Anchorman with the caption, “Stay Classy.” Along with reinforcing how critical it was for us to understand the Criminal Code, this slide also

positioned any photos that are more graphic or more sexually explicit as not classy—not against the law, but not classy. While the bureaucrats did not refer to sex workers or those in the room as whores or other discriminatory labels, this slide highlighted the slightly more subtle institutionalized attitude that anything too sexually explicit is bad. I explore this attitude in greater depth in the following chapter, where I explore the city’s use of harm reduction.

In the section above, I have illuminated how the City of Edmonton interprets and understands the Criminal Code regulation of sex work, and how the City communicated these regulations to BRC workers. Despite the fact that the City described the intentions of the Criminal Code as “not intended to interfere with people who chose this work and are selling their own services” (PowerPoint, Business License Information Session, October 4, 2018) BRC workers and one owner I spoke with highlighted the ongoing role that the Criminal Code has in shaping and organizing their work.

***“Catching a Charge”<sup>35</sup>: Impact of the Criminal Code on BRC Workers***

During discussions with BRC workers, many of them were not as concerned about the bylaw; instead, they told me about the ongoing impacts of criminalization and the Criminal Code on their everyday lives and their work. For example, when I asked about any challenges with the bylaws, one current owner and worker, and someone who has been a sex worker advocate for years told me that it was the federal laws that still cause them problems (Discussion 9, September 13, 2018). This concern with the Criminal Code was echoed in many other discussions. For example, one worker told me,

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<sup>35</sup> Current BRC worker, Discussion 16, January 23, 2019.

I'm always scared of catching a charge<sup>36</sup>. That's one of my biggest fears is getting a charge. Yeah, you know what I mean? Like, I think that's very unfair. And if I were to go in front of a judge, I would just be honest with him and tell him, you know, I'm doing this because I can't make a living any way else, I've tried, it just ends up in me getting fired, and it's not okay. (Current BRC worker, Discussion 16, January 23, 2019)

In addition to general concerns around the Criminal Code and criminal charges, one BRC worker noted the particular difficulties that the solicitation provision created and how this shaped how they engaged with their prospective clients. They told me,

A lot of guys when they text me for example, and they're on the phone and they're like, 'Oh what's your rates? What's your rates?' Well, sorry that's soliciting. I cannot do that. Here's my link to my website, which I state in my ad to read before they contact me. Yeah, it has all my information, but they choose not to read it. So, you know they don't care about what you have to go through to do this job (Current BRC worker, Discussion 16, January 23, 2019).

In contrast, one worker told me about the impacts that the Criminal Code has not only on them, but the impact that it has on their clients. They said,

Well, I would like for the Johns not to be charged. I would like that the whole aspect of the whole circle should be legal. Yeah, you know, it's really bad. It's like three quarters legal and a quarter not legal, it's like oxymoron if you asked me, like yes you can sell sex, but no, not allowed to buy it. Yeah, I would like that as a guy to be doing something legal too, you know, it might help our business. It might make more guys do it. We want money (Current BRC worker, Discussion 18, January 25, 2019).

Here they expressed frustration with the fact that their clients are at a risk of being charged, and that they wished that all the aspects of their work could be legal. This concern for clients and the impacts that the Criminal Code has on them was an important facet of some of the conversations I had with workers. Yet this was not something that was noted by city officials or other municipal bureaucrats in the Information Session, and it was not discussed as something that impacted how the bylaw was developed or how it

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<sup>36</sup> This worker was referring to being charged under the Criminal Code and being charged by the police.

is enacted. In comparison, during the Information Session clients were most often referred to when talking about violence, how to reduce violence, and how to report a “bad client” (Business License Information Session, October 4, 2018).

One BRC owner, who is also a current worker and sex worker advocate, explained that the Criminal Code impacts their work as an owner and their relationship with the people working at their BRC. They told me, “It goes back to the Federal law, the federal law makes it impossible for me as a boss, I am simply here to rent a room. Yeah, two ladies and that’s it, once the door closes, I have no control”<sup>37</sup> (Discussion 9, September 13, 2018). During our discussion about the Criminal Code, they also discussed how this creates challenges for advertising. They said,

that makes it even more difficult when you know that selling somebody else’s sexual services again, is against the law. So then when you consider that anybody who would want to advertise their staff, they’re breaking laws... So, there’s just many things that make it very difficult (Discussion 9, September 13, 2018).

Further into our discussion they talked about how the Criminal Code makes it more difficult to recommend certain health practices to workers and to navigate discussions about service provisions: “If I were in a different environment, legalized environment, I would feel a lot more comfortable recommending certain health practices.” We had a long conversation about how sex without any barriers was a common request that they received, that some workers feel that doing this type of work can make them more money, and that in other environments like Germany where it is decriminalized, they would feel more comfortable saying no to clients who ask for this particular service.

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<sup>37</sup> It is particularly important to note here that this owner also often works as a practitioner, and has been active within the sex worker advocacy movement in Edmonton. Given their roles as an owner, a practitioner, and an advocate, this individual had extensive knowledge of the various ways in which regulations impact practitioners as well as owners.

Ultimately, they told me, “but that’s not a bylaw thing, that’s because of the federal government and stigma, and you know, the misconception, the myth just because he’s buying it doesn’t mean he’s calling the shots, the provider is calling the shots” (Discussion 9, September 13, 2018).

Finally, this BRC owner and current provider told me about how they feel the Criminal Code keeps sex workers from being able to use a “buddy system.” In contrast to the Criminal Code, they explained that the bylaw requires “that at all times there has to be somebody else” in the BRC (Discussion 9, September 13, 2018). During our discussion they hinted that the bylaw provides some sense of security, while the Criminal Code creates less security for workers (Discussion 9, September 13, 2018). These workers’ experiences directly contradict the statements presented at the beginning of this chapter from the municipal bureaucrat who told me, “it’s no longer that they’re doing anything illegal.” This bureaucrat’s misunderstanding of Bill C-36 and PCEPA (Government of Canada, 2014) illustrates the disjuncture between BRC owners and workers’ lived experiences navigating the Criminal Code and the bylaw, and the work of those who create and enact the bylaw. It also illuminates the confusing, contradictory, and messy relationship that I found many bureaucrats and city officials had with the connection between the bylaw and the Criminal Code.

This disjuncture extends into how BRC work is understood by bureaucrats and officials, which can be contrasted with the actual textual definition of a BRC worker. I consider this conception of BRC work crucial, as it contributes to the tension between the bylaw and the Criminal Code. While the text of the bylaw refers to work that is of an erotic nature or “adult nature,” during discussions with municipal bureaucrats and city

officials, some either denied the erotic nature of this work or glossed over the issue. For example, one municipal bureaucrat who has been very involved in amendments to the bylaw and works closely with BRC workers said,

So, in Edmonton, we don't license the sale of sex technically, we offer a body rub license, or an escort license. So body rub really is to provide massage of an adult nature..... and that's kind of where the city's licensing capabilities are, and then the escort license is an independent license to provide companionship, whatever that means to people, the city stays out of it (Municipal bureaucrat, Discussion 1, April 24, 2018).

This was the same person who, despite telling me about how they work closely with BRC workers, seemed to dismiss the erotic part of BRC work. Another city official doubled down on this dismissal by unequivocally emphasizing the criminalization of the sexual nature of this work. They told me, "What we're saying is, if you're having sex in there, of any sort, all bets are off...So if the police busted through the doors, and there were sex acts being engaged in, there might be charges" (Discussion 10, September 24, 2018). Here, this city official leans into the criminalization of sex workers with their emphasis on criminal charges as a consequence of sexual activity. The attitudes of municipal bureaucrats and city officials seemed to exist in a dynamic, ever evolving, and complicated tension in that they acknowledge some aspects of the erotic nature of BRCs while also simultaneously seeking to dismiss and/or reduce the prevalence of the sex industry and denying that sexual services exist within certain workplaces (such as at escort agencies or BRCs) (Craig, 2011; van der Meulen and Valverde, 2013). For example, one city official who was very involved in the creation of the new BRC bylaw stated, "As far as the bylaw does not specifically allow for or acknowledge that there would be sexual activity occurring. So, intercourse or oral sex or whatever, that's not in the bylaw. It's manipulation of soft body tissue for erotic purposes" (Discussion 5, June

8, 2018). Despite being involved with the bylaw creation, this city official places “manipulation of tissue for erotic purposes” in opposition to and existing outside of oral sex or intercourse, thereby reinforcing a dismissal of the breadth of work that may occur in a session at a BRC. Van der Meulen and Valverde (2013) have found that some municipalities like Edmonton deny that an exchange of sexual services occurs in particular work environments in order to circumvent any jurisdictional conflict with the Criminal Code.

At first, this denial appeared to be what some city officials and bureaucrats were doing in Edmonton. However, in contrast to those dismissing the sexual nature of this work or emphasizing the potential for criminal charges, some other officials blatantly disregarded and confronted the federal law head on. For example, during our discussion regarding the BRC Task Force, one city official told me about how tensions arose with the Federal government representative over the legal possibilities of the BRC bylaw:

And she kept saying, essentially, “I can’t, officially, or I have to tell you that that would be offside.” And so, everything we’ve done here, I think is officially offside. So, there’s a lot of nudge, nudge, wink, wink in the whole realm of body rub...I think Ottawa or under the Harper government, who, if it wanted to, could have probably cracked down on Edmonton and said, “No, you can’t do that under Bill C-36.” So, it’s an interesting world of grey legality (City official, Discussion 5, June 8, 2018).

Here, this city official describes this as a “world of grey legality” and seems to give the impression that the relationship between the bylaw and the Criminal Code is more casual or that there is the possibility to still avoid conflict with the Criminal Code; while at the same time acknowledging that the lawyer from the federal government was more deliberate in articulating that there would be a conflict. This official’s easygoing articulation of the relationship between the bylaw and the Criminal Code was contradicted by one current

worker and owner who has been an avid sex work advocate and who was involved in the BRC Task Force. They told me about their experience working with the lawyer from the federal government on the Task Force:

Currently she's employed with the Liberal government in a similar capacity, she's there to write law, so she's still there, and she kept, I mean sometimes she would drone on and on about how very illegal it was for the City to even entertain licensing us because she said that even though it was legal to sell sex there were so many aspects under Bill C-36, what is PCEPA that, you know, made it in her opinion just illegitimate (Discussion 9, September 13, 2018).

This worker/owner/advocate clearly articulated that the lawyer from the federal government was conceptualizing these bylaws in conflict with the Criminal Code. Further into our discussion, they elaborated on their perception of the City's response to the lawyer, including how the City dismissed the lawyer's argument concerning the legality of the BRC licensing:

the good news with Edmonton is that the overall consensus was bring it, they're big boys and girls at the City of Edmonton, and if the federal government wants to sue them in court, bring it. Because as far as they were concerned, they were coming at this from an area of harm reduction (Discussion 9, September 13, 2018).

The lawyer from the federal government did not conceptualize the BRC bylaws as a grey legal area the way the city officials did. In this conversation, this owner/worker articulated that even though the City knew the view of the federal government's lawyer, the City still took a deliberate approach to the bylaws because of an intent to use a harm reduction approach to the BRC bylaw and decided to continue to license BRCs (Discussion 9, September 13, 2018).

In this chapter I have illustrated how the BRC bylaw and BRC work are shaped by three interconnected sets of relations: the bylaw itself, provincial legislation, and the Criminal Code. There exists deep tension between these three forms of regulation.

Extending on Bruckert and Parent (2014), my work illustrates that the criminalization of sex workers through the Criminal Code is intertwined with the impact of provincial labour laws as well as with the bylaw regulations (p. 98). I argue that the interconnections of these three types of regulations contributes to the simultaneous hyper-regulation of workers under the bylaw, OH&S code, and the Criminal Code. At the same time, these regulations also contribute to the exclusion or invisibilization of BRC workers from employment benefits and protections (Gillies, 2013 as cited in Bruckert and Parent, 2014, p. 101). As I discuss in greater depth in the next chapter, the ways in which these regulations intersect and regulate BRC work contributes to the carceral nature of the BRC bylaw and is an inherent tension in the City's harm reduction approach to the bylaw. Finally, I have demonstrated there are significant disjunctures between how city officials and bureaucrats understand the bylaw and the text of the bylaw. For example, the bylaw indicates that BRC work can include erotic work; however, this is ignored by some bureaucrats and officials. In the following four chapters, I dig deeper into how BRC work is organized by exploring the local relations that shape BRC work, specifically how the municipality co-opts the discourse of "harm reduction," and how this has organized BRC work. In the following chapter, I situate how I understand harm reduction and its relationship with sex work. I then explore how city officials have conceptualized it with regards to BRCs.

## Chapter Four

### Institutionalization of Carceral Harm Reduction

So, we are in this ugly harm reduction middle ground, which is hard to sit in, the ambiguity is always a difficult place, or a difficult thing for people to deal with. So most of us don't think about it most of the time (Discussion 10, September 24, 2018)

Harm reduction was a central component to how the City of Edmonton approached the bylaw changes, which was not particularly surprising to me when I began this research as I had seen news articles mentioning the role of harm reduction in the bylaw (see Stolte, 2017a). However, I was surprised that city officials acknowledged the challenges of the harm reduction approach, as the quote above highlights. This quote is from a discussion with two Edmonton city officials, one of whom had been very involved in the creation, analysis, and enactment of the BRC bylaw; the second official was relatively new to the role. Despite their varying years of experience as city officials and their different levels of involvement in the amendments to the BRC bylaw, both identified harm reduction as an important factor in the most recent amendments to the bylaws. As my research progressed, I was surprised at the contradictory and complex ways that harm reduction was taken up by different city officials and bureaucrats, and I was surprised to see harm reduction embedded in official city documents. Throughout discussions, textual analysis, and participant observation sessions it became clear that the idea of harm reduction had been central to how other city officials and bureaucrats have thought about the bylaw changes, but it was unclear what they meant by harm reduction as they held varying ideas about its meaning. In addition, I found that municipal bureaucrats and officials who are situated differently in relation to the creation and operationalization of the bylaw have a different sense of what harm reduction is and how

it relates to the bylaw. Some of those who work closer with sex workers often (although not always) had a more nuanced understanding of harm reduction than city officials who were more involved in the creation of the bylaw and were more distant from sex workers. Those who were situated closer to the process of creating the bylaw and further from workers and owners or did not engage with sex workers or owners had conceptualizations of harm reduction that were entangled in stigma-based ideas of sex work. However, no matter their relationship to BRC workers, I also found that many officials and bureaucrats had an understanding of harm that was often mired in contradictions. It is this tension and ambiguity that I will explore throughout this chapter. In order to provide the context for Chapter Five, Chapter Six, and Chapter Seven, this chapter will critically discuss how harm reduction is both laid out in municipal texts and how those who create and enact the BRC bylaw conceptualize it.

Expanding on Roe (2005) and Smith (2012) I argue that harm reduction has been co-opted, misappropriated, and institutionalized by city officials and bureaucrats in Edmonton. This form of harm reduction is used to justify increased regulation and surveillance of BRC sex work. As Smith (2012) has noted, the history of harm reduction “is a story of compromise and cooptation, revealing evidence of an uneasy historical relationship with institutionalization” (p. 210). Furthermore, inspired by Bernstein’s (2010) notion of carceral feminism, which is the “commitment to carceral paradigms of social, and in particular gender, justice” (p. 47), I argue that how harm reduction is mobilized in the BRC bylaw constitutes an extension of carceral politics. I consider this understanding of harm reduction a departure from the activist origins of the practice (see Smith, 2012) towards a practice that entrenches surveillance and carceral practices within

the municipal bureaucracy. In her work, Bernstein (2010) explores how “discourses of criminalization, democracy building, naming and shaming, and family values”(p. 54) have not only been taken up by conservative feminists and religious groups, but also by liberal secular white feminists who have been partners in the “conservative-feminist anti-trafficking campaigns” (p. 54). I extend this analysis of carceral feminism to explore how individuals in the city bureaucracy take up carceral discourses and practices in the name of harm reduction, and how harm reduction is enacted to support carceral policies.

As Khan (2015a) notes, scholars must “take a critical look at how surveillance is being used in the name of feminism” (p. 148). I take a critical look at how surveillance is a key aspect of how the City’s bureaucratized conception of harm reduction has been used to justify the surveillance of BRC workers. Furthermore, in this work I demonstrate that activists, particularly harm reduction advocates and academics, must pay attention to how harm reduction can be misappropriated and co-opted by policymakers when it comes to its application to sex work. Indeed, the co-optation or misappropriation of harm reduction can be done with regards to other issues such as municipalities taking on the institutionalization of supervised consumption sites. In this chapter, I draw on Lowman (2000), Ross (2010), Ross and Sullivan (2012), and Wright, Heynen and van der Meulen (2015) to demonstrate that city officials and bureaucrats’ conceptualization of harm reduction positions BRC workers as both an at-risk and risky population, and in opposition to and outside of “good communities.” This simultaneously invisibilizes and hyper-surveils BRC workers. In the following three chapters I explore how this conceptualization organizes BRC work through the tangible everyday requirements of the BRC bylaw.

## **Situating Harm Reduction**

I have situated my understanding of harm reduction in conversation with the definitions espoused by harm reduction activists, and with the critiques of harm reduction from sex worker advocacy organizations including POWER and the Scarlet Alliance. Sex workers' critiques illustrate how at times when harm reduction is applied to sex work it may construct sex work as inherently harmful or as a harm, rather than addressing the structural issues that cause harm to sex workers. I use the definition of harm reduction from SHIFT, and their application of harm reduction to sex work, as "ensuring that people are treated with respect and without stigma, and that substance related-problems and issues are addressed systemically" (SHIFT, workshop presentation, August 25, 2018). While this definition is rooted in addressing the rights of those who use substances, I would argue that the focus on treating people with respect and without stigma, and the intent of addressing the systemic issues that reinforce stigmatization and criminalization can be applied to sex work. In addition, my understanding of harm reduction has been shaped by my activist work in Ottawa, particularly my work advocating for a safe consumption site (Gray, 2014), my work with POWER, and my previous work on sexual violence prevention.

Smith (2012) notes that "harm reduction originated as an illegal activity where activists and politicized frontline workers risked arrest by distributing clean syringes" (p. 210; see also Fisher, 1997, Stoller, 1998, Roe, 2005). The harm reduction movement emerged to public attention in the 1980s in Canada and the USA in response to concerns regarding HIV and injection drug use (Open Society Institute, 2006; Cusick, 2006). LGBTQ and queer communities have played a central role in mobilizing and raising awareness about harm reduction practices. For example, in the 1980s the New York Gay

Men's Health Crisis began publishing Safer Sex Comix, which were comics that depicted "lower risk" sexual practices in both image and text (Greenblatt, 2018, p. 2). Indeed Roe (2005) has noted the activist and deeply political origins of the harm reduction movement. Harm Reduction includes a continuum of beliefs and practices from more liberatory frameworks to stricter public health frameworks with "disease control" as the objective (Open Society Institute, 2006, p. 2). In addition, depending on how the approach is applied and defined, harm reduction can be used to address systemic inequities and oppression by addressing issues of "social, economy, and racial inequity"; however, it can also be used to justify "conservative policies that violate the rights of drug users" (Open Society Institute, 2006, p. 2).

During the course of this research, it was difficult to find resources that discuss harm reduction and its application to sex work that did not reproduce the discourse of sex work as inherently risky or violent. Furthermore, the articles that I was able to find often did not address the systemic factors that contribute to the risks that sex workers may face at work, such as the criminalization of sex work and the stigmatization of sex workers. For example, Cusick (2006) notes that harm reduction has often not been a lens applied to sex work, but also uncritically discusses the risks that sex workers face by subtly mobilizing the discourse of trafficking and slavery. Sex workers and sex worker advocacy groups have critiqued harm reduction initiatives in regard to their application to sex work. For example, Wotton (2007) from the Scarlet Alliance—the Australian Sex Workers' Association—notes that the basic premise of harm reduction has been that using drugs is a "harmful activity" and that harm reduction initiatives have been "designed to keep the person as healthy as possible until the activity ceases" (p. 1). As

such, when applied to sex work, harm reduction can construct sex work as inherently harmful or risky, rather than considering that there are harms associated with it, but that these are not inherent to sex work (Wotton, 2007). Drawing on my activist experience and the work of Redwood (2018) and Wotton (2007), I seek to query discourses of harm reduction that reproduce people, particularly sex workers, as “risky” or engaging in “risky behaviour.”

In their keynote presentation to the 18<sup>th</sup> International Harm Reduction Conference in Poland, Wotton (2007) argued that some of the harms around sex work include (i) “discriminatory laws, policies, and unjust civil regulations” and the fact that sex workers are discriminated against as “morally corrupt and untrustworthy people”; (ii) sex workers are constructed as “reckless vectors of disease”; (iii) sex workers are stigmatized, which can reduce their access to social services; (iv) stigma can compromise sex workers’ ability to advocate for their rights; (v) the crimes against sex workers such as assault and robbery are often not taken seriously by the judicial system; (vi) sex workers’ workplaces are often not covered by Occupational Health and Safety standards; (vii) and sex workers’ “comprehensive human rights are not respected” (Wotton, 2007, p. 2). Best practices for harm reduction approaches to sex work include addressing these harms rather than focusing on “disease prevention, surveillance or treatment” (Wotton, 2007, p. 3). Finally, Wotton (2007) argues that policies or efforts aimed at abolishing sex work have no place with this type of harm reduction framework.

Similar concerns have been noted by sex workers’ groups in Canada. In a recent report entitled “A reflection on Sex Work and Harm Reduction Discourse,” Santini, Klein, Stella, l’amie de Maimie, and the Butterfly Asian and Migrant Sex Worker

Support Network (2020) raised similar concerns regarding harm reduction discourses and its application to sex work. They note that:

The emphasis on violence and disease as immediate sources of harm may also encourage and maintain the belief that sex work itself, rather than the structural circumstances that surround it, endangers sex workers' safety, endangers people's lives, and makes people vulnerable. It may also encourage the belief that sex work itself endangers broader communities (Santini et al, 2020, p. 11).

In addition, this report also notes that harm reduction can be a good entry point to be able to educate people about sex workers' needs (Santini et al, 2020, p. 11). During an informal conversation with a colleague and board member of POWER, they raised similar concerns regarding the application of the harm reduction framework to sex work as Wotton has (2007). They told me about how the harm reduction lens often gets applied to sex work in the government or policy arena by non-sex workers (Board Member; personal conversation, June 10, 2020). They explained how they see it as a liberal framework, where someone thinks that they are being helpful while simultaneously framing sex work as harmful. They told me that a concern that they have is that some individuals who use the harm reduction perspective for sex work think that sex work is harmful to sex workers or society. As such, in their organization they do not use a harm reduction lens because they do not frame sex work as harmful in the first place. However, they also said that if we conceptualize harm reduction as coming from the laws or the regulatory framework then harm reduction can make a bit more sense, but this conception is not a harm reduction of sex work, it is a harm reduction of sex work laws (Board Member, personal communication, June 10, 2020). It is these types of tensions that I explore when analyzing how municipal officials take up harm reduction discourses and when it is applied to BRC sex work in particular. While I did not hear these same

concerns from the BRC workers that I spoke with in Alberta, I still think it is important to centre critiques from sex workers' organizations in the analysis of the application of harm reduction frameworks.

### **Harm Reduction and the BRC Bylaw**

As I noted at the beginning of this chapter, harm reduction was a recurrent issue brought to my attention during discussions with a variety of individuals, but it was also highlighted through various municipal texts and as an objective throughout the BRC bylaw amendment process. The specific objectives of “harm reduction” and the strategies to achieve harm reduction by the City were laid out in greater depth in the Body Rub Centre Annual Update from 2018, which noted that the BRC Task Force “has made significant gains towards enhancing harm reduction and physical safety within licensed body rub centres” (City of Edmonton, 2018a, p. 1). According to the report, the city identified several actions that were conceptualized as enhancing harm reduction. This included: i) The Task Force Implementation Team providing information to practitioners on social services and other paths out of the sex industry; ii) the implementation of a safety liaison as the contact person for practitioners; outreach to the body rub centres by the safety liaison; iii) information sessions on the licensing process; iv) inspections of the BRCs (City of Edmonton, Body Rub Centre Annual Update, 2018a, pp. 2–3). These documents mirror some of the same themes that were present in the BRC Task Force Final Report (City of Edmonton, 2015). For example, the Task Force Final Report shares the emphasis on safety (City of Edmonton, 2015). As noted in the report, “while not all Task Force members and consultation participants agreed on the suitability of licensing body rub centres or on each and every recommendation, one thing was unanimous: Safety

is paramount-both the safety of workers and communities” (City of Edmonton, 2015, p. 3). However, outside of the actions that were conceptualized as harm reduction in the 2018 report, these documents do not provide insight into how city officials define harm reduction or how they developed their understanding of harm reduction. For example, these documents provide interesting perspective into how harm reduction was mobilized into tangible aspects of the new bylaw, but they do not include a definition of harm reduction as a value, an attitude, or lens for understanding social policy. The discussions I had with bureaucrats and city officials helped me gain greater insight into how they understood harm reduction in the context of BRCs.

### **City of Edmonton Officials and Harm Reduction**

I think it would be healthy for us to admit that nobody feels entirely comfortable with our approach to body rub centres, but overall, and by and large we see it as a way to reduce the harm that many women involved in the sex trade, reduce harm that they may otherwise be subjected to (City official, Discussion 7, August 29, 2018).

This is a quote from a city official who was involved in the BRC bylaw amendment process: they worked with the municipal subcommittee responsible for the BRC bylaw, and given their role as a city official they had witnessed many of the discussions around the amendments to the bylaw. In their statement above they highlighted how even though some city officials were not comfortable with the approach to license BRCs, reducing the perceived harms of sex work was an important factor for the city during their work changing the BRC bylaw (city official, Discussion 7, August 29, 2018). Despite how some bureaucrats have employed the discourses of harm reduction and believe that their work could reduce the harms that some BRC sex workers may face, many of their descriptions of harm reduction, the way they deploy the

discourse of harm reduction, and how they view its role in the BRC bylaws often reproduced stigma-based assumptions about sex work. As evidenced in the quote above, this city official seems to frame BRCs and sex work as inherently dangerous. The quote also hints at a saviour attitude, and the sentiment that the licensing regime “protects sex workers” in a subtle, paternalistic manner. Furthermore, this quote highlights how city officials focused on the perceived gender impact by focusing on the harm of BRCs on women. This emphasis on reducing harm to individual workers was reiterated during one discussion with two other city officials. During our discussion, these two officials recognized the broader debates surrounding sex work, particularly the debates about whether or not it should be considered a legitimate business, but they told me, “We sort of have to bring it down to a clear and present danger and that is the violence and murder of sex trade workers” (Discussion 10, September 24, 2018). City officials and bureaucrat’s emphasis on addressing violence against sex workers was discussed by many of the people that I spoke with and was a prominent discussion during the Business License Information Session for BRC workers and escorts. This was an important indicator of how city officials conceptualized harm reduction.

In addition to a concern about reducing “harm” to workers, the same two city officials told me about how they were concerned with reducing the “harm” they felt that the sex trade often has or has had on communities, and how they felt the recent changes to the BRC bylaws have helped reduce this:

So that is the other thing though, so we reduced the individual impacts and made the sex trade worker safer. But we also helped communities because when I was on the committee, there were communities that had women and men, I think different areas, but walking the street and that meant cars cruising around and around, that was stigmatizing for the neighbourhood, and created all sorts of other problems for women and girls, so that has largely been reduced. And so that the

impacts on neighbourhoods, the harm to neighbourhoods, so harm reduction has applied to the neighbourhoods as well....And I think that was a really good thing out of this too, because, yeah, there were neighbourhoods that are really being harmed by it (City official, Discussion 10, September 24, 2018)

Throughout my discussion with these two city officials, their complicated relationship with the regulation of BRCs was palpable. At times, they held contradictory opinions about sex work, and at one point, one individual even told me that the issue of regulating BRCs was “morally, spiritually ambiguous” (city official, Discussion 10, September 24, 2018). This is evident in their quote above, where we see the tension between the desire for the safety of sex workers and the desire for community safety, framed in opposition to one another. One city official in this discussion told me that “the sole goal of the Task Force for us was to improve the health and safety of practitioners” (city official, Discussion 10, September 24, 2018). Despite their intention to improve the safety of practitioners, their understanding of harm reduction was simultaneously tied to the “safety” of workers while invisibilizing them within communities. Wright et al (2015) in their research on the impacts of CCTV on sex workers argue “for sex working women, ‘community safety’ strategies like public CCTV cameras are not about being seen by protective and assistive eyes, but rather by eyes deployed and sanctioned to criminalize” (p. 268). Furthermore, they note that these types of surveillance mechanisms create a dualistic character of sex workers as simultaneously visible and invisible, which “reflects their broader positioning as, in part, the sources, rather than the recipients of harm” (p. 268). I expand on their work on the surveillance of sex workers by examining how harm reduction is deployed on behalf of a desire for “community safety,” and how this produces surveillance practices which position BRC workers as sources of harm to the community while also constructing BRC workers as people who need the City’s help to

stay safe. Below I discuss how in the case of BRCs in Edmonton there is a sense that BRCs are sanitized or made less noticeable in communities, which invisibilizes these workers in the community. However, at the same time city officials, bureaucrats, and police are paying increased attention to BRCs, making them more visible within the realm of regulation.

In addition, despite their stated concern for sex worker safety, some city officials and bureaucrats espoused a negative and stigmatizing image of sex workers. For example, they discussed how the presence of sex workers often made neighbourhoods seem unsavoury or caused a discomfort for residents (Discussion 10, September 24, 2018):

you just, you create an image, a stigma around those neighbourhoods when you're driving along and there's a pretty obviously a sex trade worker out applying their trade or more than one, it's "that kind of area." So who would want to live, what nice family would want to buy a house in that kind of area? So it causes everything to sort of downgrade in the area, and with prostitution come drug houses, come guys on bikes delivering drugs, and its you just create this ecosystem and they get anchored into neighbourhoods where there are nice people living (City official, Discussion 10, September 24, 2018)

They continued by describing how these areas would be considered "ideal places" for families because of the access to downtown and to public transportation, "cost of living" and the heritage neighbourhoods. They posited these neighbourhoods as ideal for families who could not afford areas like Glenora, Grosvenor, North Glenora, or Laurier. Based on my experience living in Edmonton, neighbourhoods like Glenora are considered by many Edmontonians as higher income areas that tend to have much larger homes and are often viewed as a lower crime and "family-oriented" area. These two city officials continued, saying, "Because not only are the properties run down, but there's an unsavoriness to the neighbourhood. I don't want my kid to play in the street, or you get people cutting

through your yard when they're in a criminal flight situation" (Discussion 10, September 24, 2018). When I asked them which areas they considered "unsavory" they mentioned Alberta Avenue, McCauley-Boyle, and Central McDougal, and that "downtown was at one point a hot spot for prostitutes, street prostitution" (city official, Discussion 10, September 24, 2018). Here they made the connection between sex work and an "unsavory area" much more prominent. They positioned sex workers as opposite to or in conflict with the "nice people living" in certain areas (Discussion 10, September 24, 2018), and imagined BRCs and subsequently BRC sex workers as not belonging in certain areas of the city. This narrative evokes a sense that sex workers downgrade a neighbourhood or area of the city.

Drawing on Lowman (2000), I propose that city officials in Edmonton deploy harm reduction discourses in concert with a discourse of disposal. The discourse of disposal attends to the "descriptions of the ongoing attempts of politicians, polices, and residents' groups to 'get rid' of street prostitution from residential areas" (Lowman, 2000, p. 988). Ross (2010) found that this was mobilized in downtown Vancouver in the 1980s and was enacted through a "street activities bylaw" in 1982, which fined those "convicted of purchasing, attempting to purchase, selling or attempting to sell sexual services on Vancouver streets" (p. 203). Dubbed the "anti-hooker" bylaw by the media, this approach was seen as a municipal solution to "controlling crime" (Ross, 2010, p. 203). Ross and Sullivan (2012) found that in contrast to the impacts on street-based workers, the "upscale" workers, including indoor licensed escort agencies and massage parlours, were able to prosper and avoid the new regulations (p. 614). They found that the indoor and licensed workers were "accommodated within the new regulatory framework" (Ross and

Sullivan, 2012, p. 614). I expand on Ross' (2010), Ross and Sullivan's (2012), and Lowman's (2000) work by illustrating how the desire to push away sex workers in Edmonton is not only focused on street-based workers, but instead on the city's policies to invisibilize indoor-based BRC workers. Similar to what Ross (2010) and Ross and Sullivan (2012) found, BRCs in Edmonton are accommodated into the regulatory framework. However, in contrast to their work, I argue that by incorporating BRCs into a regulatory framework, bureaucrats and city officials have reshaped how BRCs exist within communities by making them less noticeable and therefore invisibilizing them. For example, one city official told me about changes to the regulations for BRC signs:

The Task Force brought in recommendations around the size and type of sign that a body rub centre could have, you could have a body rub centre in a strip mall in your neighbourhood and not even know it...guys scuttle in and scuttle out so we even reduced that stigma I think because there's quite a few in the city and do you...? I don't know where any of them are (City official, Discussion 10, September 24, 2018).

These officials associate the regulations and changes with removing BRC from people's view, essentially sanitizing and invisibilizing them in communities, rather than understanding harm reduction in relation to the dignity and safety of sex workers and their clients. Scholars have noted that these processes are similar to processes of gentrification, which are often linked to a desire to create profitable communities that are enhanced in order to attract elites and businesses (Newman and Wyly, 2006; Mann, 2010). However, in this case bureaucrats and city officials are concerned with creating what they consider "good communities," particularly for families (city officials, Discussion 10, September 24, 2018). Here, they described a neighbourhood with sex workers as something that is undesirable and seen negatively, and that this type of undesirable neighbourhood is not where a "nice family" would want to live. Not only

does this description place families against sex workers, this posits a certain type of family, one that is nice, and one that does not have a sex worker in the family. Finally, it assumes that sex workers in a certain area are not part of a family in the area, and if they are, they would probably not consider them a nice family. In a previous conversation with one of the same officials, this individual elaborated on their understanding of a good community for nice families. They told me,

If you have sex trade on the street, then you have a lot of cars cruising, and it just creates an image of an area that is not for law abiding people and families. It's the wrong side of the tracks, it's the drag, it's the ghetto. And then typically, sex trade work, there's often an ecosystem where the drug house and then guys on bikes delivering drugs and selling, you know.... Because then again, there was a lot of probably still is a lot of young men and women who are dependent on or addicted to street drugs (City official, Discussion 5, June 8, 2018)

This individual was someone who had taken a leadership role at the city on working on these bylaws, and they were someone that other city officials looked to on this issue. Their opinions seemed to be considered important, and as a result their understanding of harm reduction and idea of what constituted good communities possibly carried a lot of weight in the process of amending the BRC bylaws. Here this city official describes a neighbourhood as undesirable if associated with “sex trade on the street,” something that is the opposite to what good families would want. What was interesting here is that even though the intent of our discussion was to talk about BRCs, the discussion flowed into this individual's perception of street-based sex work and the sex trade more broadly. For example, even though in this first quote this individual referred to street-based sex work, further into this part of our conversation they made statements that associated drugs, crime, and violence with the sex trade broadly. Their perception was that in Edmonton there are individuals who use drugs, and who rely on the sex trade to afford drugs, and

that “a lot of sex trade work” is related to issues such as growing up in poverty, around addiction, violence, and abuse (Discussion 5, June 5, 2018). Similar to Ross (2010) and Lowman’s (2000) work in Vancouver, this city official reproduces the image of sex workers as criminal by framing them in a manner that contrasted with that of “law abiding people and families,” presenting the idea that those involved in the sex trade are universally associated with drug use, and creating a narrative that sex workers bring disorder and illegal activities into communities. This city official was also a part of the BRC Task Force, and they even told me about how they brought this perception of sex workers into the Task Force discussions and how their perceptions were challenged by others on the Task Force. For example, this city official told me that two women who were part of the BRC Task Force<sup>38</sup> often tried to correct their misconception of sex work; however, despite the attempts of these women to inform them, they did not feel that the women’s experience was common to sex trade workers (Discussion 5, June 8, 2018). Despite their stated unwillingness to listen to others on the BRC Task Force, interestingly this individual acknowledged their own bias and told me,

I’m moralizing, there’s no question in my worldview that is not meaningful work. That it’s, you’re still using yourself as a piece of meat to gratify another human being. And that’s kind of harsh.....Is that right? And fair? I don’t know. I have just been raised in a culture where sex is still very much steeped in judgement and morality (City official, Discussion 5, June 8, 2018).

Despite the desire to ground the changes to the BRC in harm reduction, a sense of morality and stigma-based ideas about sex work remain pervasive in the city administration. Given this, I question how this conceptualization of harm reduction and

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<sup>38</sup> They did not mention if these two individuals who corrected them were BRC workers on the Task Force or other members of the Task Force.

its relationship to sex work can be implemented in a meaningful way when these sentiments remain pervasive amongst city officials.

In contrast, some of those who help provide the Business License Information Session and those who work more directly with BRC sex workers have a slightly more nuanced understanding of harm reduction. For example, a municipal bureaucrat who works closely with BCR workers told me that their understanding of harm reduction wasn't as important as the lived experiences of those working in the BRC (municipal bureaucrat, Discussion 1, April 24, 2018). They added,

So, for me, it's really about talking to the people who are working in the industry about what struggles they're having, you know, what harms they're seeing, and supporting them in that. So, I don't, I don't really see it as my role to say, this is what harm reduction looks like, it's really more of, you know, you folks working in the industry, what can we support you with? How can I advocate within the city systems on your behalf, really? (Municipal bureaucrat, Discussion 1, April 24, 2018).

They also told me, "It's a hard thing for me to define, when it's not mine to define" (Discussion 1, April 24, 2018). This bureaucrat seemed to put the opinions of sex workers ahead of their own when it came to their understanding of what harm reduction means. One individual who helps run part of the Business License Information Session said that for them, harm reduction is a "framework that provides people with dignity and respect," and then they continued, telling me,

I think there's one of the fundamental pieces of harm reduction is that, everybody deserves dignity and respect no matter what behaviours they engage in, and that by having services that can reduce the harm that can come from those behaviours is important (Discussion 12, November 23, 2018).

This marks a very important distinction between the bureaucrats who are situated further from the lived experiences of sex workers and this individual who spends time working directly with workers. These two individuals have situated their understanding of harm

reduction as tied to the lived experiences of BRC workers. As we can see with the first quote, this individual specifically noted that they base their work on how BRC workers define harm reduction, and they centre the experiences of sex workers and how they experience harm (Discussion 1, April 24, 2018). The second individual ties their understanding of harm reduction to dignity and respect for individuals regardless of what they do in their day (Discussion 12, November 23, 2018). This contrasts to other city officials that I spoke with who described harm reduction as associated with worker safety but mobilized it in a way that contributes to the invisibilization of BRCs in communities as a means of creating community safety (city officials, Discussion 10, September 24, 2018).

However, not every bureaucrat or official who works closely with BRC workers situated their understanding of harm reduction within a description of dignity and respect of BRC workers. One individual, who helps facilitate part of the Business License Information Session told me about how they see sexual health education as a part of harm reduction, but situated their understanding within a public health framework, which they equate with objectivity and science. They told me,

I like buzzwords like harm reduction, because they're very public health type buzzwords, public health is usually seen as something, it's a lot more objective...Once it's framed in a public health framework, or like used with that lens, all of a sudden, it's objective, it's backed by science (Discussion 15, December 14, 2018).

Here they see harm reduction as a legitimate approach because of this equation with public health and science. This individual's description illuminated how harm reduction is used as a policy lens for the regulation of BRCs in Edmonton and has become institutionalized and associated with a medical means of promoting health (Smith, 2012;

Roe, 2005). This understanding is in opposition to the activist understanding of harm reduction as a means for advancing structural change. As my work demonstrates, some of the bureaucrats, city officials, and even those who work closely with BRC workers reproduce the medical model of harm reduction with their focus on the perceived individual harms to sex workers and harm to communities (Roe, 2005). Following Miller (2001), I argue that the city's approach to harm reduction "enables society to continue causing harm to individuals without accepting responsibility for or acknowledging the social, legal, and economic source of those harms" (as cited in Roe, 2005, p. 245).

In the remainder of this dissertation, I demonstrate how the harm reduction discourse has been used to put into place and to justify elements of the BRC bylaw that contribute to the enhanced regulation and surveillance of sex workers in three key ways: i) In Chapter Five I discuss how surveillance is constructed through the bureaucratic architecture of the BRC bylaw, particularly through the practitioner license information session, and the requirements for BRC sex workers and owners; ii) in Chapter Six I explore the regulation and surveillance of BRC sex workers through discourses of health and safety; iii) finally, in Chapter Seven I discuss how harm reduction has been used in conjuncture with a concern around human trafficking and how this has shaped the BRC bylaw as well as the municipal Access Without Fear policy (AWF). In the following three chapters I demonstrate how this form of harm reduction is one that has been co-opted from its radical roots and is mobilized through bureaucratized carceral mechanisms. How the bylaw is enacted contributes to the ongoing criminalization and stigmatization of BRC workers, and ultimately undermines the City's stated objective of the safety of BRC workers.

## Chapter Five

### Harm Reduction and Surveillance Through Bureaucracy

This chapter will discuss the everyday processes of surveillance in greater depth through the exploration of the requirements of the BRC for owners and workers. Here I query the City's harm reduction approach and argue that surveillance is in opposition to the activist or sex worker's conceptualization of harm reduction. I draw on Khan's (2015a) argument, from their analysis of the prohibitionist group "Prostitution Research and Education" (PRE) in the United States, that "surveillance and discipline manifests in criminal justice and police initiatives" (p. 148). I argue that policing and enforcement techniques in Edmonton are deeply embedded in the bureaucracy of the BRC bylaw and as such shape how BRC work is organized. I attend to how the BRC bylaw utilizes both policing tactics through the Criminal Code and enforcement mechanisms, and bureaucratic processes to monitor and surveil BRC sex workers. I follow Haggerty's (2009) description of surveillance as "a dynamic that involves monitoring people or things on the basis of some form of social intervention" (as cited in Khan, 2015a, p. 148); that surveillance includes the "collection and analysis of information about populations in order to govern their activities" (Haggerty, 2009, p. 160 as cited in Walby and Anais, 2015, p. 162). Exploring surveillance has often included a focus on state actors, and considers things like architecture, communication analysis, and technology (Khan, 2015a). Drawing on Walby and Anais (2015), I hope to contribute to surveillance studies by looking at the unlikely site of surveillance within the bureaucracy, including both the physical manifestations of the bureaucracy (such as BRC inspections) and the paperwork

of bureaucracy (such as the BRC application) of the BRC bylaw. Furthermore, this work contributes to the field of research that looks at the surveillance of sexuality.

In this chapter, I speak to the local relations of the BRC bylaw: how governance mechanisms are used to regulate BRC sex work, how bureaucrats operationalize these bylaws, and what the impacts could be on BRC workers and owners labour. In contrast to Chapter Three, which focused on the historical development of the bylaw and the intricate connections between the municipal bylaw, the Criminal Code and provincial legislation, this chapter will discuss the local relations that organize the work of owners and workers. I also focus on how these requirements contribute to a process of what I refer to as “bureaucratized surveillance” of sex workers and BRC owners. I build off the previous chapter, where I discuss how bureaucrats and city officials conceptualize harm reduction within the BRC bylaw to explore how this idea of harm reduction is enacted both textually and in people’s labour through the BRC bylaw requirements.

My work revealed that this surveillance occurs in both subtle forms with data collection in the Business License Information Session, and in more overt forms with owner and worker license requirements, and the inspections of BRCs. The surveillance of BRC workers begins the moment a potential BRC worker signs up for the Business License Information Session and extends into the everyday work of BRC workers through inspections and the requirements of the licensing system. I begin by setting the context of how regulation has been conceptualized by some bureaucrats as a means of registering workers within the framework of harm reduction, and then I organized the chapter to allow the reader to follow the trail of surveillance in the same sequence as a worker or owner.

## **Harm Reduction: A New Means of Enforcement**

Bureaucrat: “We’re on your side, it’s a harm reduction, more of a registration, kind of. So, we can check in and have some contact info.”

Me: “Oh so there is a form of registration for the worker?”

Bureaucrat: “Yeah, so they come in, they get their license and take a picture, and get like a license card.”

Me: “Like an ID Card?”

Bureaucrat: “Yeah, yeah, same that you would see in taxi...It’s the same.”

(Municipal bureaucrat, Discussion 1, April 24, 2018)

This dialogue above is from a discussion I had with a bureaucrat who plays one of the central roles in the enactment and operationalization of the BRC bylaw; we had been discussing how the city had eliminated the fees for the BRC practitioner license. This individual works very closely with BRC workers, and also visits BRCs throughout the Edmonton area (municipal bureaucrat, Discussion 1, April 24, 2018). I have included this dialogue to point to how the physical text of the BRC practitioner licence is entangled with the idea of an ID card or a form of registration, and how this individual in particular connected the license with the city’s ability to “check in” on BRC workers. Here I highlight the subtle link between the surveillance of workers and the role of the BRC practitioner license. What I initially construed as a subtle sense of watching over BRC workers suddenly seemed explicit as I reflected on the conversations I had had with officials and bureaucrats, and even more so as I dug into the requirements for BRC workers and owners. For example, this same individual had also told me about how they bring a social justice lens to their work and understood harm reduction to be something that needed to be defined by BRC workers themselves rather than bureaucrats (Discussion 1, April 24, 2018). They explained that they understood social justice and the relationship with their work in the BRC to be about “moving away from a strict enforcement model” because as they understood it, with BRCs it is not best to:

just fire off and issue a bunch of tickets to people for not complying with, because it's so much more complicated than that. So just to be that voice around the table to say, you know, so what if you issue a practitioner a thousand-dollar ticket for not having a license, what does that mean for them? (Municipal bureaucrat, Discussion 1, April 24, 2018).

Here, they position social justice and a strict enforcement model in oppositional terms, and they talk about a desire to move away from a strict enforcement model. However, they do not associate social justice with the abolishment of the enforcement model in its entirety; instead they consider that a social justice lens should be applied to enforcement. For example, when discussing how a bylaw officer works with a social worker to oversee the BRCs they told me, "I think it is pretty ground-breaking for municipalities to recognize that there would be a need to have a bit more of a social justice lens on some enforcement" (Municipal bureaucrat, Discussion 1, April 24, 2018). Notice here the role of enforcement within the BRC bylaw, and how this individual positions enforcement in relation to social justice. Following Khan (2015a), this conversation hinted at how conceptualizations of social justice are tied to law enforcement tactics and mobilized by the City to justify enforcement mechanisms in conjuncture with bureaucratic surveillance techniques.

Another interesting piece from the quote above is that this bureaucrat did not seem to indicate that they had considered that this form of "registration" may contribute in an obscure or even a blunt way to the "strict enforcement model" that they were hoping to get away from. Despite this individual's intentions and their experience with BRC workers, their approach revealed a subversive and veiled form of enforcement and surveillance that extended beyond this one bureaucrat's work and opinion; rather, it was something that permeates the requirements of the bylaw and the ways in which it is enacted.

### **Checking In and Keeping Track: Business License Information Session**

Drawing on Walby and Anais (2015), my attendance at the information session allowed me to: “follow around surveillance texts and observe how they are used” (p. 165) by “following” the BRC practitioner license application process. As Walby and Anais (2015) note, “surveillance involves first and foremost the collection of information of a subject population. Information is collected, sorted, sent, and received by people in organizations” (p. 165). This allows for researchers to explore “how surveillance processes are put together in organizations through work practices involving texts” (Walby and Anais, 2015, p. 165). I argue that the Business License Information Session supports the organization of surveillance through the collection of BRC workers’ data and the monitoring of attendees. It is important to note that city officials or bureaucrats did not use the term surveillance to describe the work of the Information Session throughout my discussions with them; rather this is based on my analysis.

As I noted in the introduction to this Chapter, I found that the collection of BRC workers’ personal data can begin before the potential worker even has their license, at the very moment that they register for the Business License Information Session. Information about the Business License Information Session is publicly available, and registration can be completed online, over the phone, or via email (City of Edmonton, Business License Information Course, n.d.). You can choose from a series of dates which are all listed publicly, and the training is held from 10AM–2PM. The session I attended was held on October 4, 2018 (Reflection Notes, October 21, 2018). From the moment I registered for the session I noticed that the city collects a lot of what some may consider necessary and others may describe as mundane personal information. For example, you need to bring a government issued ID—not necessarily a Canadian or Albertan government issued ID—

you need to provide your first and last name as well as your phone number, address, your email address and your date of birth (Reflection Notes, October 21, 2018). They also ask you about your preferred language for the course.

Providing this information seemed quite ordinary and almost routine; however, when I arrived at the training, I began to notice how this collection of data was more than ordinary. Once I arrived at the training session, I was immediately asked to provide my government ID, and I watched them either input my information into a database or check my information with what I had provided to them when I registered. When they took my ID they did not tell me what they are doing with the information (Reflection Notes, October 21, 2018). Attendance at the Business License Information Session is only one part of the application process and only one part of the collection of personal information. This process continues through the application form, the physical license that workers must have with them, the requirements for owners to maintain data on workers, and the criminal background check.

### **Data Collection Through the Bylaw Requirements**

The new bylaw has laid out very clearly the requirements for practitioners and owners. In order to be able to receive a license, practitioners must provide the city with the following:

- i. Full name.
- ii. Date of birth.
- iii. Two pieces of government issued identification, of which at least one must have a photo.
- iv. Proof that they had attended the Business License Information Session.
- v. An Edmonton Police Information Check.
- vi. A list of pseudonyms or aliases you use and all the websites that are used to promote your services.
- vii. A photograph, that taken when you apply for the license.

viii. The address of the BRC where they will be working.  
(City of Edmonton, Business License Classifications, n.d.)

Further to this, there are several requirements for where BRC workers can work: they must only work at BRCs that are licensed by the City of Edmonton; they must notify the city if they stop working at a BRC or change their work locations; they must ensure that their license number is visible on all of their advertisements, whether they are online advertisements or print; and they must notify the city if there are any changes to the websites that they use to advertise (Edmonton, Business License Classifications, n.d.).

In addition to the requirements on practitioners, in order to become a BRC owner the city requires the following:

- i. For a corporation the city must receive: “the full name and date of birth of all primary managers, owners, partners, directors, and officers of the corporation; and a recent police Information Check issues by the Edmonton police Service for all primary managers, owners, partners, directors, and officers of the corporation.” (City of Edmonton, 2019, Bylaw 13138, Section 33a-b)
- ii. For an individual applicant the city must receive a name, date of birth, and a police information check.
- iii. Only advertise their business using email, telephone numbers, and name and this information must be provided to the City.
- iv. Similar to the requirements for practitioners, they must provide the business license number in anything used for advertisement, including newspapers and websites.
- v. They cannot operate between the hours of 11:00PM and 7:00AM.
- vi. They must have a proposed security plan and patron management plan,<sup>39</sup> and they must adhere to these plans.
- vii. Only employ a practitioner who has a valid license.
- viii. Ensure that there is a minimum of two employees, and at least one must be a manager or a person in “care and control” of the BRC, who are present on the premise at all times whenever the BRC is open.  
(City of Edmonton, 2019, Bylaw13138, Section 33-34)

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<sup>39</sup> I will discuss the security plan and patron management plan in greater depth in Chapter 6.

Further to these requirements, there are significant regulations around the maintenance of employee information on behalf of the owners, and the requirement that this information be provided to bylaw officers whenever they are asked. This includes:

- i. The full name of each employee and their date of birth.
  - ii. Any pseudonyms and aliases that the employee uses.
  - iii. Their current license number.
  - iv. Their telephone number .
- (City of Edmonton, Bylaw 13138, 2019, Section 34)

According to the Bylaw, owners must produce this list whenever requested by a Bylaw Enforcement Officer (City of Edmonton, Bylaw 13138, 2019). Similar businesses have the same requirements for the maintenance of an employee's information. For example, Exotic Entertainment Agency<sup>40</sup> requires that owners maintain the same type of information (City of Edmonton, Bylaw 13138, 2019, Section 51). However, what is interesting is that the City of Edmonton does not require that Escort Agencies maintain a list of employee pseudonyms or aliases; individual escorts must provide this to the City, but the agency does not have to maintain this. While they do require the names and license numbers, as well as a list of employees, the city does not require that Escort Agencies keep the list of pseudonyms or aliases used by employees (City of Edmonton, Bylaw 13138, Section 43, 44, 2019)<sup>41</sup>. Even though workers must provide their legal name when they are doing escort work, this means that there remains some potential flexibility for these workers in that they could use a pseudonym or alias to engage in other forms of sex work. However, BRC practitioners have to provide both their legal

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<sup>40</sup> This is the official term used in the bylaws; however, they are typically colloquially referred to as exotic dance venues or strip clubs.

<sup>41</sup> However, it should be noted that Escort Agencies are required to maintain a work log with the dates, times, and locations for all of the dates that a worker may go on (City of Edmonton, Bylaw 13138, 2019, Section 44).

name and pseudonyms, which could be made available to Bylaw officers when asked. Furthermore, Escort Agencies and Exotic Entertainment Venues do not have to provide security plans or patron management plans the way that BRCs have to. Although the purpose of this study was not to compare the regulation of BRCs to other sex trade business regulations, it is important to note that when analyzing the texts that organize sex trade labour in Edmonton, there appear to be more complexities and bureaucratic mechanisms imposed on BRCs than on similar businesses.

Upon reflection and after having discussions with municipal bureaucrats, I see a disjuncture between what bureaucrats told me about how they use the information on a worker's license and their process of collecting personal data at the training session. For instance, during a discussion with a municipal bureaucrat who plays a central role in the enactment of the BRC bylaw and works closely with BRC sex workers, when asked about how the city of Edmonton uses the information provided to the city, they told me that:

It's not really used. We just really use it to know who we are talking to. So, one of the changes that we did make was, we took their legal name off of the ID card, just have their working name on it now, so that when we're going into a studio, if we know your legal name is Lauren, but you work by the name Susie, you might not want people to know what your legal name is. So, we try to know people who are working by their aliases instead. So that we don't cross any of those lines with confidentiality. So, it gets a little tricky (Municipal bureaucrat, Discussion 1, April 24, 2018).

This person was referring to one of the changes to the BRC bylaw which removed the requirement for a practitioner licence to have the legal names of workers, and they emphasized the possibilities of increasing BRC workers' confidentiality through the licensing process. A current worker that I spoke with shared this bureaucrat's enthusiasm

for this change; they told me about how it was important to them and to their working conditions:

I think that is great too, you know, like, because, you know, the more you write down your legal name for things, the more you're gonna make a mistake, and maybe mistakenly use it, or whatever. So yeah, I think that's really great, or a guy could like you know get a hold of your license somehow and have a look at it. And like try to see where you live, and your name, or find your name, and then see where you live. So yeah, I think it's really good that you can be incognito kind of (Current BRC worker, Discussion 18, January 25, 2019).

Here the worker describes the possibilities that this new provision provides; this sentiment was shared by another current worker who told me about how they do not really like to tell people what they do because they are not ok with people knowing, and that before this new change was introduced, they had to have their license on them at all times, which had their legal name on it. They emphasized that they disliked the previous rules and that it was a privacy issue for them (Discussion 17, January 24, 2019). They continued by telling me about how this impacted their life outside of work, in that they carried their ID in their wallet and that this reduced their ability to keep their work private (Discussion 17, January 24, 2019). They told me that now they have a work-specific bag that contains their license that they can hide when people come over (Discussion 17, January 24, 2019).

However, this potential for confidentiality is complicated by the bureaucratic mechanisms used to regulate BRC workers. The collection of data begins when workers attend the License Information Session and have to provide a great deal of personal information—including their legal name and address—in order to attend the session, must provide their legal name on a BRC license application form and must provide that information on a Criminal Background check (discussed later in this chapter). This data

collection then extends into the everyday lives of BRC workers through the tracking of BRC practitioners' work locations and the licenses and ads. For example, one municipal bureaucrat told me that the city has a digital system where they track all of the licenses that the city has issued, and they track the expiry of the licenses for both workers and owners (Municipal bureaucrat, Discussion 2, May 7, 2018). In addition, during discussions with bureaucrats who work closely with BRC workers, either through the license information session, through inspections or other means, they indicated to me that they try to know each worker at each studio. For example, one bureaucrat told me that they try to know all of the faces and all of the names of those who work in the BRC (Discussion 2, May 7, 2018). They also check the employee list to make sure that everyone on the list matches everyone working in the BRC (Municipal bureaucrat, Discussion 2, May 7, 2018). Here, I return to the information requirements for BRC owners, which is that they must retain "the full name of each employee and their date of birth, and any pseudonyms and aliases that the employee uses," and that this information must be provided whenever a bylaw officer asks for it (City of Edmonton, 2019, Bylaw 13138, Section 34a (i)-(iii)). While the name change may provide for additional confidentiality outside of the workplace as some workers discussed, the way in which the City requires that owners must maintain workers' personal data, and the access the bureaucrats have to the employee list with the workers' names, address, aliases, et cetera creates the potential for a bureaucrat to connect the individual's legal name to their working name or alias and could mean that this confidentiality may not be maintained in the workplace.

Finally, municipal bureaucrats also watch and surveil BRC workers' ads. One current municipal bureaucrat who is responsible for the enactment of the bylaw told me about how they review online advertisements for BRCs, and they use a computer program to track and count the advertisements online, when they are posted, and what exactly the content is (Municipal bureaucrat, Discussion 2, May 7, 2018). In the Business License Information Session, participants were told about the requirement for having the license number included in online advertisements, and to not use photos that are "too graphic or sexually explicit" and to not "mention services provided or prices" (PowerPoint, Business License Information Session, October 4, 2018). One municipal bureaucrat mentioned to me that those who violate the advertising bylaw can face large fines between \$2000 and \$10,000; although they did not specify whether the BRC owner or the practitioner would receive the fine (Municipal bureaucrat, Discussion 2, May 7, 2018). A Body Rub Centres-Implementation Report (n.d.) notes that an increased monitoring of "advertising websites and message boards will assist in identifying unlicensed individuals and operators, improve the response to industry and citizen complaints, and strengthen relationships with those working in the industry" (p. 1). Bruckert and Parent (2014) have noted that people working in massage parlours have been more frequently criminalized under the "bawdy house provisions" of the Criminal Code. In this case, contrary to what Bruckert and Parent (2014) discuss, BRC workers in Edmonton appear to experience scrutiny regarding communication, most particularly their ads. As mentioned in Chapter Three, I draw on Bruckert and Parent (2014), and argue that since "communication" such as advertisement is also regulated through the Criminal Code, this enforcement through the bylaw illustrates the interconnection of

municipal regulation with the criminalization of workers. My work also demonstrates that this extends further into the everyday work of BRC workers, including the City's use of BRC inspections.

### **BRC Inspections: "It's not like Hollywood at all"<sup>42</sup>**

Inspections of BRCs arose in various contexts throughout my research; they are referenced in City of Edmonton documents, they were brought up during conversations with city officials, workers, and municipal bureaucrats, and they were discussed during the Business License Information Session. According to the city, inspections include a police officer, a bylaw officer, a social worker, or a combination of these individuals (Business License Information Session, October 4, 2018; Discussion 2, May 7, 2018). During these inspections, workers and owners can expect to be required to show their license, to show the practitioner list, to understand that those doing the inspections may inspect rooms that are not in use, and workers and owners are expected to chat and answer questions (PowerPoint, Business License Information Session, October 4, 2018). One bureaucrat told me that during inspections they ask who is working, they review the licenses, they ask for the employee list and whether the list is still current, they ask about bad clients (Discussion 2, May 7, 2018). According to a Body Rub Centre Implementation report, the city argued that "increased proactive inspections will result in increased compliance, enhanced worker safety, mitigated negative community impacts, and provide opportunities for Edmonton Police Service to address criminal matters" (City of Edmonton, CR\_3146, n.d., p. 1). Although this particular text did not identify what

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<sup>42</sup> This is a paraphrased comment from a discussion with a municipal bureaucrat who enacts the BRC bylaw (Discussion 2, May 7, 2018).

“enhanced worker safety” meant in actual terms, other documents like the *Body Rub Centre Task Force Final Report* (City of Edmonton, 2015) discuss safety in conjuncture with the health of workers. Safety is conceptualized as physical safety and protection from violent clients and is mobilized within a discourse of security. For example, the *Final Report and Task Force Recommendations* regarding health and safety include the requirement to have a security control and emergency response plans, requiring onsite management at all times, and regular OH&S safety inspections (City of Edmonton, 2015, p. 7). Here, safety is equated with inspections. This will be discussed in greater depth in the following chapter.

Even though City of Edmonton texts including BRC reports and the bylaw lay out the requirements in a fairly straightforward way, conversations with bureaucrats and officials as well as participant observation sessions revealed that the enactment of BRC inspections are complicated by how municipal bureaucrats and city officials conceptualize the role of inspections. As noted above, some bureaucrats described the bylaw regime as constituting a role in registering workers; bureaucrats and city officials described the requirement for inspections and registering workers as intimately linked to the discourse of harm reduction. For example, one city official described harm reduction in terms of addressing violence against workers, but that this could be achieved through *inspections* and *IDing clients* (emphasis added by me, city official, discussion 10, September 24, 2018). They said,

we do what we can to take the most alarming part of this issue, the violence, verbal and physical committed against sex trade workers, and try to reduce that as much as we can, by encouraging them out of the cold and into body rub centres where there will be some inspection, and ideally, we would be IDing Johns (City official, Discussion 10, September 24, 2018).

These comments arose as we discussed how controversial the topic of regulating BRCs had been in the city because, as they noted, “we still have a lot of hang ups still about sex. So again, we have to bring it down to a clear and present danger and that is the violence and the murder of sex trade workers” (city official, Discussion 10, September 24, 2018). The official did not elaborate on how they conceptualized the violence that BRC workers face as in how it manifests or what the experience of violence is like for workers; however, they did focus specifically on physical violence. The Business License Information Session that I attended provided insight into how the city views violence against workers. As I discuss in greater depth in Chapter Six, violence against workers was often uncritically portrayed as only physical violence including sexual assault, choking, and sex trafficking (PowerPoint, Business License Information Session, October 4, 2018).

As described earlier, there seems to be a desire on the part of bureaucrats to be able to “watch over” BRC sex workers through registration and inspections (city official, Discussion 10, September 24, 2018). Some city officials connected inspections with the notion of workers’ empowerment. For example, one city official associated inspections with knowledge and empowerment for BRC workers. They said, “And I kind of hope, I know that the systems are in place, where it’s not perfect, but that there’s enough inspections going on, there’s enough information being given to the sex trade workers where they are at least a bit more empowered” (city official, Discussion 10, September 24, 2018).

In addition to the complex nature of how city officials and bureaucrats understand the role of inspections, the actual work of enacting inspections is highly bureaucratized in

that it involves multiple organizations and various jurisdictions. According to the information provided in the Business License Information session, there are five Edmonton Police officers, two licensing inspectors, and one social worker who are responsible for the inspections (PowerPoint, Business License Information Session, October 4, 2018). With regards to BRC inspections, bylaw officers are part of the Body Rub Centre Task Force Implementation team with the City of Edmonton, and they visit a centre roughly once a month (Municipal Bureaucrat, Discussion 2, May 7, 2018). When bylaw officers are not able to do the inspections, the Edmonton police are brought in to help (Discussion 2, May 7, 2018). For example, a municipal bureaucrat whose work constitutes enacting the BRC bylaw told me that in the event that the female bylaw officer is not able to attend an inspection, a member of the Edmonton Police Service will attend (Discussion 2, May 7, 2018).

Furthermore, during the Business License Information Session, participants were told that inspections are conducted by the Human Trafficking and Exploitation Unit (also known as the Vice Unit) (PowerPoint, Business License Information Session, October 4, 2018). During inspections this police unit does the following: “offer support and assistance if and when needed, receive reports of harassment, violence, and exploitation related specifically to the sex industry, and identify traffickers and exploiters and hold them accountable,” and they do *not* “judge or arrest you for doing this type of work (it’s not illegal), investigate police matters not directly related to this industry” (PowerPoint, Business License Information Session, October 4, 2018).

During the information session I attended, bureaucrats did not provide any assurances or discuss accountability mechanisms around ensuring that police officers do

not criminalize or stigmatize workers during inspections. Furthermore, as noted in Chapter One, despite city bureaucrats and officials extolling that workers will not be judged or arrested during inspections, BRC workers still described experiencing judgement and stigma from police officers. One current worker told me that the idea of cops coming into the studio was still nerve-wracking for them (Current BRC worker, Discussion 17, January 24, 2019). This illuminates another disjuncture between the lived experiences of BRC workers and the way that municipal bureaucrats understand how aspects of the bylaw impacts workers. As Bruckert and Hannem (2013) have found, sex workers continue to be stigmatized by the police, which has led to sex workers in Ottawa experiencing both criminal charges for their work and facing additional charges like jaywalking. In their report, *Challenges: Ottawa Area Sex Workers Speak Out*, Bruckert and Chabot (2010) found that some sex workers did not feel that police officers could be a resource, and others felt that police do not take violence against sex workers seriously (p. 43). Some BRC workers that I spoke with expressed a similar sentiment, I return to this later on in this chapter.

In addition to the inspections from the Human Trafficking and Exploitation Unit, the 2018 City of Edmonton Body Rub Centre Annual Report notes how representatives from *Occupational Health and Safety* and *Employment Standards* have been going into BRCs as well to do joint inspections (City of Edmonton, 2018a, p. 3). This relationship between OH&S, ESC, and the bylaw was also articulated during discussions with bureaucrats. For example, one bureaucrat who works closely at enacting the bylaw noted that there is a relationship with ESC in order to ensure that workers have rights (Discussion 2, May 7, 2018). However, as I discussed in Chapter Three, another

bureaucrat who works closely with workers told me that their impression was that OH&S inspections could lead to a BRC being shut down, which would lead to workers losing their workplace (Municipal bureaucrat, Discussion 1, April 24, 2018). These two opposing impressions reflect that there are contradictions within how the municipal bureaucracy views the role of both OH&S as well as inspections. As a result, for example, the same individual noted that given these complexities, the city is still trying to figure out how exactly to work with OH&S, particularly around inspections (Municipal bureaucrat, Discussion 1, April 24, 2018).

In addition to the confusion around how inspections are operationalized, there appears to be more surveillance over BRC work than other forms of labour, and the inspections do not seem to have a purpose if the city collects so much personal information about the workers in the first place. A current BRC worker told me that they did not feel that there was a purpose to the inspections. They said, “Oh if you guys were getting licenses, you guys should know who’s all you know working. Because it’s all in the database. Why do you need to come to the parlor?” (Current BRC worker, Discussion 16, January 23, 2019). They continued by expressing frustration with the city using parlor inspections, but they also told me that some people within the business could be “shady,” and that the inspections need to be a give and take between the city and the parlours (Current BRC worker, Discussion 16, January 23, 2019). Along these lines, another current worker who is also a BRC owner told me that the inspections keep owners on the “straight and narrow,” because you never really know when an inspection will take place (Current owner, worker, and sex work advocate, Discussion 9, September 13, 2018).

On top of the inspections from police, bylaw officers, and OH&S, the City also engages in what some municipal bureaucrats described as check ins and outreach. According to the municipal bureaucrat who does this outreach, the objective of this is to “check in, hang out, try to get to know them [referring to the practitioners].” They also have information binders about each studio, and a bad client binder that was created by the Centre to End All Sexual Exploitation, and they update these binders when they visit the studios (Municipal bureaucrat, Discussion 1, April 24, 2018).

Finally, the lack of clarity around inspections and the role that the police force plays in inspections highlight a disjuncture between how city officials and bureaucrats talk about BRC work and how the bylaw is enacted in the everyday. For example, the city claims that the work that BRC workers are doing is legal (Discussion 1, April 24, 2018; PowerPoint, Business License Information Session, October 4, 2018), yet BRC sex workers are still forced to interact with police officers through the application process and during inspections, and as some workers mentioned to me, interacting with officers can still be nerve-wracking for them (Discussion 17, January 24, 2019). Furthermore, it sends the message to workers, owners, and the community that police are still watching over the industry. This begs the question that if this work really is legal, as the city describes it, then why do police need to be involved? For example, other service industries like restaurants also undergo inspections, but these are done by public health inspectors guided by the *Public Health Act*, not by police (Alberta Health Services, 2021).

## **Criminalization and Criminal Record Checks**

Before the women were treated as criminals, and now they're not, they are treated as tax paying citizens that's doing this kind of a job, and, you know, you're always gonna get treated better when you're not treated like a criminal (Current BRC worker, Discussion 18, January 25, 2019).

This is a quote from a current BRC sex worker, and this came up when I asked them if they had any thoughts about how the new bylaw impacted their ability to access their rights as a worker. What this quote illustrates is how important it is for current BRC workers to no longer be conceptualized or treated as criminals. While the city does describe BRC work as legal and workers like the one above did express sentiments that this new bylaw did not treat them as criminals, my work shows that there are still some requirements of the current bylaw that associate BRC work with criminality and crime. One of these aspects is the inclusion of police officers in the inspections of BRC, but the other aspect includes the requirement that BRC workers and owners obtain a police information check issued by the Edmonton Police Service (City of Edmonton, Bylaw 13138, 2019, Section 33, 34). According to the Edmonton Police Service, a police information check provides one of the following: a "No Information Certificate" or an "Information to Disclose Certificate" (Edmonton Police, 2019). An "Information to Disclose Certificate" would be issued "when criminal convictions, relevant provincial statute convictions, outstanding criminal or relevant provincial charges, or local police records representing a pattern of behaviour that may result in harm to vulnerable persons exists" (Edmonton Police, 2019), and this must be done by the Edmonton Police Service. This is different from a Criminal Record Check in that a Criminal Record Check will only indicate whether or not an individual has a criminal record, and a criminal record check can be completed by a third party (Edmonton Police, 2019). Therefore, when a

BRC worker applies for a license, the city of Edmonton is possibly receiving substantially more information from the Information Check than they would if they only required a Criminal Record Check. However, the City does not explain the distinction between the two to prospective BRC workers and escorts during the Business License Information Session. For example, during the Information Session that I attended, attendees were told that new BRC practitioners required a criminal background check, but we were not told what personal information would be disclosed during this process (PowerPoint, Business License Information Session, October 4, 2018).

This is troublesome for two reasons. First, this presents additional barriers to sex workers working at a BRC. The Police Information Check costs \$70.00, and it requires that an individual either go to a police station, or that an individual have a printer to print the application and the ability to mail it in (Edmonton Police, 2019). Even though the city eliminated the fee for the BRC license and acknowledged that the previous license fee created additional barriers for individuals who wished to work in a BRC (Municipal bureaucrat, Discussion 1, April 24, 2018), a fee for the police information check remains in place. Second, as noted above, this firmly establishes a police presence in BRC sex work. Police officers are not only potentially present during inspections, but they are also involved in the textual organization of BRC sex work through the application process.

While some workers told me they did not have many problems during inspections, I argue that this requirement embeds the police as an institution within the experience of every new BRC worker, even if the role of the police is indirect. This is in contrast to the more direct role the police play when they are engaging in BRC inspections or in the arrest or harassment of sex workers or their clients. Walby and Anais (2015) note that

“texts transport the observations and discrimination of surveillance practices from one setting to another, [and] at the same time the particularities of our everyday lives disappear into the data flows” (p. 166). Following Walby and Anais (2015), the police information checks play a role in organizing BRC sex work as the information flows from the City of Edmonton bureaucracy through the Edmonton Police Service.

In addition, whether or not any court dates or convictions are present in a worker’s application, the bylaw allows the city manager, when reviewing a BRC practitioner application or a license renewal, to refer the license to the Edmonton Police Service (EPS) for consultation (City of Edmonton, 2019, Bylaw 13138 , Section 36). This deeply embeds EPS within the bylaw regime and within BRC work from the moment a BRC worker applies for their license. This is particularly troublesome, as some current workers that I spoke with expressed some ongoing concerns with how police treat sex workers. As I have already discussed above, one current worker told me that the idea of police coming into the BRC studios caused them some stress (Discussion 17, January 24, 2019). Another current worker told me about how they feel that police do not take violence against sex workers as seriously as violence against other women. They told me, “I think that there is the police, and a girl goes missing they don’t really spend as much time on the you know, on our girls as they do let’s say on a normal secretary that goes to work every day that disappears” (Current BRC worker, Discussion 18, January 25, 2019).

One current BRC worker discussed the anxiety they have about receiving a criminal charge. They told me, “I’m always scared of catching a charge. That’s one of my biggest fears is getting a charge” (Current BRC worker, Discussion 16, January 23, 2019). When

I asked them how a criminal charge would impact their life outside of work and at work, they said,

For example, if I get a charge, I can't work in a massage parlour anymore. And then that charge is going to be with me for life. So even if I were to go to travel, or whatever, I would have that solicitation on my criminal record. Yeah, that's not something I want everybody to know (Current BRC worker, Discussion 16, January 23, 2019).

What is notable here are the barriers that a criminal charge creates for a BRC worker. As I noted earlier, this worker explained how the Criminal Code posed challenges for them specifically with regards to navigating relationships with clients. This adds to the fear of receiving a criminal charge, as clients sometimes engage in solicitation by reaching out to them directly to know about rates, rather than following the instructions on their website (Current BRC worker, Discussion 16, January 23, 2019). This worker added that this can be emotionally and mentally draining, and that the solicitation part and the Criminal Code impacts them: "It kind of scares me because, like I said, if it wasn't for me being on AISH<sup>43</sup> and doing this, I'd be homeless. I'd be struggling so hard even to like, provide for my son" (Current BRC worker, Discussion 16, January 23, 2019). Bruckert and Parent (2014) describe this interaction between various types of regulation as a layering of regulation with the bylaws on top of the criminalization that Ottawa sex workers face. Similarly, the fear these workers express

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<sup>43</sup> AISH refers to the Assured Income for the Severely Handicapped. This is financial support which can include things like a child benefit, a monthly living allowance, personal benefits, or health benefits. People can be eligible for this benefit if they "have a medical condition that substantially limits" their "ability to earn a living" (Government of Alberta, 2020). In order to receive this benefit people must also be over the age of eighteen years old, live in Alberta or be a Canadian citizen, meet the financial eligibility criteria, and there must be "no medical treatment, therapy, rehabilitation or training available that will help improve your ability to earn a living" (Government of Alberta, 2020).

around the Criminal Code highlights the deep interconnection between the bylaw with the Criminal Code and the provincial legislation as discussed in Chapter Three.

In addition to these barriers, workers provided nuanced and differing opinions on the requirement for BRC workers to get a police check. For example, the same worker who had told me about the fear and challenges they experienced with the Criminal Code and who told me that they would not be able to work in a BRC if they got charged, also told me that they “don’t see any problem with it [referring to the police checks], and, ‘I think if you are working in the industry, you should have to have a criminal record check’” (Current BRC worker, Discussion 16, January 23, 2019). When I asked them to tell me more about why they think people working in BRCs should have the criminal record check they told me,

If this worker, you don’t know if they have fraud or like a criminal record. You know what I mean? Like, it could be dangerous, they could hurt clients or they could take all the clients information. Like it’s vulnerable for the client. It should be safe for both parties (Current BRC worker, Discussion 16, January 23, 2019).

What is telling here is that the worker emphasized the client’s safety and a client’s vulnerability and considered that this form of work should be safe for both the worker and the client (Current BRC worker, Discussion 16, January 23, 2019). Another current BRC worker expressed a similar sentiment, that the records check is good for the clients (Current BRC worker, Discussion 18, January 25, 2019):

I think it would be good for the john. You know, because if an escort is some kind of thief, and got arrested or whatever, then, you know, like she could rip them off blind, right? Yes, it’s good that there’s a background check, of course. Yeah, like it’s very good. Like when you’re dealing with going into someone’s home, or dealing with something as intimate like, you in the body rub places, I think it’s

important to have a criminal check (Current BRC worker, Discussion 18, January 25, 2019)<sup>44</sup>.

In this passage, the BRC worker emphasizes that for them the criminal record check is important for the well-being of the client. This focus on the well-being of the client was shared by other workers. As Jeffrey and MacDonald (2006) have noted sex workers have complex and varied relationships with clients. This was reflected in the conversations I had with BRC workers. While they were concerned about their clients' well-being some of them told me how this concern was not always reciprocated as some of their clients were not as concerned about them (Discussions with current BRC workers: 16, January 23, 2019; 17, January 24, 2019; 18, January 25, 2019).

It is also evident that the requirement for a police information check presents new complexities in the regulation of BRC sex work in Edmonton. First, from the conversations that I had with BRC workers, most thought this was a good requirement because the worker could be dangerous to the client either physically or in other ways. This view entrenches the idea of those with criminal records as "bad," but it also reproduces the stigma-based idea of sex workers as more likely to be criminals than other labourers. In addition, this conception creates a hierarchy of workers by positioning BRC workers with a criminal record as dangerous and in opposition to "law-abiding" workers, and it creates barriers for these individuals with a criminal record from being able to work in a BRC. Furthermore, this view reproduces a stigma around sex work. However, I want to caution that this hierarchy or division between workers is not established by workers. As the comments above from workers regarding the police checks point out,

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<sup>44</sup> In this passage this worker mentions both escort work and BRC work. Some people work in multiple fields, and the criminal background check is a requirement for the escort license and the BRC license, which is why they referred to going into someone's home.

some workers have taken on this division between workers who have a criminal record and those who do not. This is rooted in the ongoing stigmatization and re-criminalization of sex workers broadly, and of people with criminal records. As van der Meulen et al, (2013) note, like other industries, sex work is stratified. They note that racialized and Indigenous sex workers are often the target of state, police, and neighbourhood violence, and white workers (or those who are able to enact whiteness) often work in spaces with better working conditions or better paid forms of sex work (van der Meulen, et al, 2013, p. 19). In addition, “recognizing diversity also allows us to examine the operation of racism, classism, and citizenship and the ways that sex workers social locations affect their labour-related experiences” (Dursin et al, 2018, p. 11). Ross and Sullivan (2012) found that hierarchies can also be produced along the lines of work environments. In Vancouver, indoor-based workers were accommodated within the regulatory framework, while street-based workers were excluded. I expand on their argument to explore how the stratification of sex work is shaped by the use of police information checks within the bylaw regulatory framework. I argue that a worker’s experience with a criminal charge or with the criminal justice system contributes to the hierarchy of work. Furthermore, this hierarchy has been upheld by the ruling relations of the BRC municipal bylaw, and is institutionally regulated, entrenched, and organized through many facets of the BRC bylaw, including through the process of Criminal Record Checks and Police Information Checks.

Second, this requirement for a police information check creates potential barriers for sex workers with pending court dates or criminal records. Given the changes to the Criminal Code in 2014, there are still many aspects surrounding sex work that are illegal

(Gacek and Jochelson, 2019). This requirement for a police information check could keep many street-based workers who face increased criminalization, and other sex workers who have a criminal record or a pending court date from being able to work indoors in a BRC. As such, this requirement could keep them from working in a somewhat safer work location.

In conclusion, in this chapter I have highlighted the important ways in which surveillance of BRC workers is reinforced and heightened through the BRC bylaw requirements. Building on the work of D. Smith (1987, 2005), Walby and Anais (2015), and Khan (2015a) among others, I have examined how BRC work is organized through the utilization of a discourse of harm reduction, and how this has enhanced and entrenched the surveillance of BRC workers. While the objective of bureaucrats and city officials may not be to surveil workers per se, they enact practices and have created requirements for the BRC owners and practitioners that contribute to the surveillance of workers, such as the collection of BRC worker's information, the use of BRC inspections, and the requirement for BRC workers to obtain a police information check. These practices and requirements create both a veiled and discrete form of surveillance through "check-ins" and data collection, and a more brute form of surveillance through BRC inspections and the Police Information Check. As Walby and Anais (2015) found, the use of IE creates space to "investigate the ways in which surveillance processes are put together through work with texts in organizations" (p. 164), and how "texts coordinate action by workers in multiple organizations" (p. 166-167). I have shown that this can be seen with the deep relationship between municipal bureaucrats and the Edmonton police. The presence of the police through both the police checks as well as

the potential presence of police officers during BRC inspections illustrates the ongoing embroilment of the police within the regulation of BRCs. This sits in tension with some bureaucrats telling me that they considered BRC workers to *not* be engaging in illegal work (Discussion 1, April 24, 2018). This sense that the work is legal is contradicted and undermined by the inclusion of the police within the regulation of BRCs. The role of the police and the institution of the police in the bylaw contributes to the criminalization that sex workers already face under the Criminal Code and extends the carceral logics of the Criminal Code into the execution of the bylaw. While the intent of municipal officials and bureaucrats may not be to further criminalize these workers, I consider that how the discourse of harm reduction manifests in the tangible aspects of the bylaw contributes to the criminalization of BRC workers. The enactments of these tangible requirements entrench law enforcement and surveillance within the bylaw requirements and embeds carceral logics into the harm reduction approach of the bylaw. The following chapter will explore how discourses of harm reduction have shaped how BRC work is organized through sexual health education, and personal and workplace safety.

## **Chapter Six**

### **Institutionalization of “well-being”**

In the previous chapter I focused on the requirements of the BRC bylaw that workers and owners must follow, as well as the tangible aspects of the bylaw that the City uses to surveil the workers and owners, such as BRC inspections. In this chapter, I expand on the notion of bureaucratic surveillance discussed previously by exploring how the City utilizes discourses of health and safety with regards to BRC workers. In this chapter, I expand on my previous discussion of bureaucratic surveillance and carceral harm reduction by critically examining how broad discussions of health and safety or what I have referred to as “well-being” are put into action through the tangible requirements of the BRC bylaw. In addition, I explore how these tangible actions contribute to the ongoing stigmatization of BRC workers. I will show how this is done in three ways. First, I will show that this approach ignores the structural conditions that contribute to the harm that sex workers face; second, I demonstrate how the requirements place the onus on sex workers for their own safety; finally, I discuss how these requirements reinforce stigma-based ideas about sex workers by associating BRCs with crime. I explore three requirements of the bylaw, specifically the Business License Information Session, Control Plans, and the use of the concept of Crime Prevention Through Environmental Design (CPTED). As such, I argue that the City’s objective to create harm reduction creates harm rather than reducing the challenges workers face. Despite the City’s intent to promote the health and safety of workers, the bylaw continues to stigmatize workers, thereby undermining the ability to address health and safety challenges and to create a progressive harm reduction approach to BRC work.

In my approach to discourses of health and safety in the context of BRC work, I draw on Khan's (2018) argument that sex workers are simultaneously positioned as "inherent victims" and as deviant or a social nuisance. Khan (2018) notes that "sex workers are positioned as inherent victims, whether of life circumstances, biological disposition, evil men, or their own purportedly bad choices" (p. 69), narratives that have existed for 150 years. I draw on Khan (2018), Redwood (2018), Bruckert and Chabot (2010), and Wright et al (2015) to illustrate how the requirements and enactments of the bylaw institutionalize the narrative of BRC sex workers as simultaneously victims or "at risk" and "dirty" or "risky." Furthermore, in this chapter I demonstrate how the City of Edmonton individualizes the issue of health and safety by placing the responsibility and onus for health and safety onto BRC workers and owners. This individualization invisibilizes the structural conditions that contribute to the violence that sex workers face (Bruckert and Chabot, 2010). These conceptualizations of BRC workers as "at risk," "risky," and "dirty" are the same discourses that have been used historically to justify the regulation and criminalization of sex work in Canada (Khan, 2018; Redwood, 2018).

### **"Health and Safety" in the City of Edmonton**

The emphasis on "health and safety" in BRCs is not a new focus for the City of Edmonton. Notions of "health" and "safety" have been expressed and institutionalized as core city values. For example, one text states:

Edmonton is a city that thrives, where every member of our community has equitable opportunity to be healthy and fulfilled. The City works to ensure all citizens are afforded opportunities to enable them to live long, happy, and productive lives. Wellness and health are two complex issues that require collaborative input from the City, citizens, community organizations, businesses, and other orders of government for effective, sustainable solutions (City of Edmonton, Community and Public Services Committee, 2017, p. 2).

These values as described in this text are put into action through a number of municipal initiatives, services, and programs that the city provides (City of Edmonton, Community and Public Services Committee, 2017, p. 17). This same emphasis on health and safety in Edmonton was reflected as a key issue for the City during the recent changes to the BRC bylaws. As demonstrated in the BRC Task Force Recommendations: “the primary theme in stakeholder group discussions and the Task Force was about ensuring the health and safety of body rub practitioners, their clients, and the communities in which they operate” (City of Edmonton, 2015, p. 7).

### **Health and Safety in BRCs**

This emphasis on bringing to life health and safety initiatives in BRCs was evident throughout the discussions I had with municipal bureaucrats. For example, one municipal bureaucrat who works closely with BRC workers told me,

But I think from our perspective, we would just want them to be the safest that they can possibly be for people who are choosing to work in them. And for the people who aren't choosing to be there to have avenues to not be there if they don't want to be and to know that just to know their rights, and how to, you know how to access support... but it's, it's a safe working environment, like any other work environment should be (Municipal bureaucrat, Discussion 1, April 24, 2018).

What I consider important here is the emphasis placed on ensuring that BRCs are safe environments, and the focus on BRCs as work locations. This emphasis on BRCs as a safe work environment not only focuses on the safety of the worker, but also further illuminates how some (although not all) bureaucrats consider BRC work a legitimate form of work rather than a morally “wrong” act.

In addition to the broad concern of safety, health was another factor that some officials focused on. For example, one city official told me about how ensuring health

was an important part of their work to amend the current BRC bylaws: “Health care is...health is a significant part of it. So, ensuring that women who are, largely the women who are engaged in this through our bylaws to register, and to license body rub are doing so in that this is healthy for them, or healthier for them” (city official, Discussion 7, August 29, 2018). This city official is making an explicit connection between health and registering sex workers and connecting the objective of health with the licensing regime. As I discussed in the previous chapter, registering sex workers acts as a form of subtle surveillance. Further, harm reduction is used as a justification to mobilize regulations as a means of surveilling sex workers, particularly if their work is treated as exceptional or different from other forms of work. Despite city officials and bureaucrats describing BRC work as legal, municipal documents related to BRCs revealed that BRC bylaws were being used to impose higher standards of work safety and health on BRCs than other businesses. For example, the City of Edmonton BRC Annual Update from 2018 notes that one of the recommendations for the BRC was to:

Establish a higher standard of issuance of body rub centre business licenses that protects the public interest and safety. This should acknowledge that body rub centers are different from other businesses and thus require a higher standard of license issuance and continued operation (City of Edmonton, 2018a, p. 3).

As can be seen from the quote above, this desire to hold BRC to a higher standard than other businesses is about ensuring public interest and safety. As discussed in the previous chapter, this paints the image of BRCs in tension with the idea of public or community safety. The idea that BRCs are more risky or dangerous work environments seems to legitimize both stricter regulations, and as I discussed in the previous chapter, practices of surveillance that may not necessarily create safer work for BRC workers. The *BRC Task Force Final Report and Recommendations* (City of Edmonton 2015) noted that

understanding the impacts on communities was one of the primary reasons for the Task Force (p. 9). This tension positions BRCs and those who work in them directly in conflict with vague notions of “public interest” and safety. As discussed in Chapter Three, the OH&S Act (2018) in Alberta is designed to require that employers provide safe and healthy work conditions for their workers. The question becomes, for whom? Does treating BRC work as “exceptional” and putting higher standards on them solve the issue of working conditions, or is this a result of a stigma fuelled conceptualization of the industry? Why for example, should BRCs be held to a higher standard than construction sites or farms in Alberta? This concern for the health and safety of BRC workers is not only written into policies, it also plays a significant role in the organization of BRC sex work through the creation of tangible bylaw requirements including the Business License Information Session and Crime Prevention Through Environmental Design (CPTED). The following section explores how physical violence against BRC workers is conceptualized and explained by the City.

**“Stay Alert!”<sup>45</sup> Discourses of Violence: Murder, Sexual Assault, Choking in BRC**

Violence against sex workers has been well documented by scholars and sex work activists (Bruckert and Chabot, 2010; Lowman, 2000; Jeffrey and MacDonald, 2006). As Bruckert and Chabot (2010) have noted, the federal government has acknowledged this level of violence in the *Parliamentary Subcommittee on Solicitation Laws* (2006) and in a 2005 Statistics Canada Report. This concern regarding violence against sex workers was reflected in the City’s bylaw amendment process, and it also shaped the tangible

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<sup>45</sup> PowerPoint, Business License Information Session, October 4, 2018.

requirements of the BRC bylaw. Concerns for workers' physical safety was one way city officials have articulated a response to violence against sex workers. As one city official described to me, the city was trying to create safer spaces for workers, because they acknowledge that there have been murders, assaults, and exploitation of women (city official, Discussion 5, June 8, 2018). Another city official told me, "So we do what we can, we take the most alarming part of this issue—the violence: verbal and physical committed against sex trade workers, and try to reduce it as much as we can, by encouraging them out of the cold and into body rub centers...." (Discussion 10, September 24, 2018).

Shaver, Bryans, and Bhola (2013) note that the way in which sex workers have been conceptualized in relation to violence has shifted since the increasing awareness of missing and murdered women in Vancouver's Downtown Eastside in the 1990s, that "there has been a discursive shift away from seeing sex workers as deviant or criminal, and seeing them as victims" (p. 128). This construction of sex workers as victims was reflected in the discussions I had with municipal bureaucrats and city officials. For example, one official who had been very involved in the BRC bylaw amendment process told me that the murder and violence against sex trade workers was what they considered to be the "clear and present danger" with regards to BRCs (Discussion 10, September 24, 2018). In another discussion, one city official told me about individuals working in sex work who "have been murdered or assaulted violently, and nobody, nobody wants that to happen" (Discussion 5, June 8, 2018).

One current practitioner and owner, who has also been an avid sex worker advocate in Edmonton for years, told me about the history of violence against sex

workers in the Edmonton area. They told me about how this history was an underlying consideration in the amendments to the BRC bylaw. They explained how Vancouver and Edmonton have a shared experience with serial killers who are or were targeting sex workers (Discussion 9, September 13, 2018). This current practitioner and owner also suggested that the level of violence experienced in Edmonton was one reason the City chose to pursue regulating BRCs from a harm reduction approach. They said,

Vancouver and Edmonton had sort of sad and unique experience. Vancouver, of course with Pickton, and we had Sveklka and Laboucan...and so we experienced the serial killing of the women as well, and I'm sure there was some unique instances where a person only killed one person. But at the end of the day, when we look back, we lost thirty women from the sex work industry. And I think Vancouver lost one hundred, or fifty something like that. I mean a ridiculous amount. And other places in Canada did not have that experience (Current worker, owner, and sex work advocate, Discussion 9, September 13, 2018).

It has been reported that the bodies of twenty women had been found in rural areas around Alberta, specifically in rural areas around Edmonton since 1983 (CBC News, Canada, 2005). It was not until 2005 that RCMP confirmed that a serial killer was targeting sex workers in the Edmonton area, and leaving their bodies in rural fields (Harding, Globe and Mail, 2005). For those who have never visited Edmonton, Alberta's capital city is surrounded by large swaths of farmland, crown land, and smaller rural towns like Leduc, Beaumont, and Star Alberta, all located only a few minutes outside of the downtown core. There are often large spaces of land between the urban centres, and isolated rural areas with expansive farms and land that may not always have someone come by for months at a time. There are also several refineries and other large industrial production areas scattered in the smaller rural Alberta towns. As an Albertan, I have often spent time driving between Edmonton and Calgary, and to smaller rural towns outside of Edmonton. I have spent hours driving without seeing anyone or few other cars or people

along the rural roads or on the farmland. Driving through isolated rural areas, walking along rural roads, and looking out into the farmland horizon, the scenery is simultaneously calming and beautiful, but also isolating and haunting.

This BRC worker and owner, and the city official point to what Lowman (2000) has referred to as predatory violence. Predatory violence is premeditated; it can be motivated by finances, or be of a serial or sexual nature (Lowman, 2000, p. 1005). This focus on predatory violence was also discussed in the Information Session, when participants were told about the RCMP KARE Proactive Team, which was described as a team that “works with women involved in the industry and other potentially high-risk lifestyles to investigate cases of missing and murdered vulnerable persons throughout Alberta” (PowerPoint, Business license information session, October 4, 2018). This team was created to “investigate the deaths of several vulnerable missing persons in the Edmonton area” (RCMP, 2015). The RCMP KARE Proactive Team produces the narrative of sex workers as individuals who live “high risk lifestyles.” Doe (2013) notes that the use of forensic technology in projects like KARE often have negative impacts on women who work in sex work. In addition, during this segment of the session the Project Kare was described as consisting of three parts: “collecting personal information, harm reduction/education, and criminal intelligence” (Business License Information Session, October 4, 2018). Here Project KARE is being positioned within the overarching strategy of harm reduction, and harm reduction is constituted and enacted within the context of law enforcement.

In addition to the murder of sex workers, violence in BRC work is also conceptualized as encompassing sexual assault and choking. For example, during the

Information Session, information was provided regarding sexual assault, defining it as “any unwanted sexual act that is unwanted or coerced. There are many different types, being assaulted is never your fault! If possible, report the crime and seek treatment” (PowerPoint presentation, Business License Information Session, October 4, 2018).

Sexual assault may be predatory violence; however, Lowman (2000) notes that sexual assaults, robbery, and physical assaults may also arise from situational violence. Lowman (2000) argues that “situational violence occurs when disputes arise during the course of a transaction and the clients resorts to violence to resolve it,” or the conflict may arise over price, services performed, or if a client feels “ripped off” (p. 1005). The Information Session also focused on the “harms” of choking in BRC work. During the presentation, the PowerPoint provided the following information about choking and sex:

only 10 seconds and 4 lbs of pressure can cause lifelong damage similar to a stroke: vision changes, ringing in the ears, facial drooping, slowing of pulse leading to cardiac arrest, memory impairment, incontinence (loss of bladder/bowel control), pulmonary edema (Fluid in the lungs), bleeding/swelling inside the neck, miscarriage (Business License Information Session, October 4, 2018).

The information presented in the session constructed choking as violence and did not explore how it can be a form of erotic play, erotic work, or as a part of an individual’s sexuality. The information provided did not include a nuanced understanding of sex and sexuality or provide any knowledge or understanding about how BDSM, including how choke play can be sexual play that individuals can consent to, enjoy, and can be done safely. As a result, there is a gap between the information session and the everyday experiences of BRC workers, especially those workers who specialize in BDSM. For example, one current BRC worker told me about how they specialize in fetishes, and that they predominantly work as a dominatrix (Current BRC worker, Discussion 17, January

24, 2019). They told me that part of their work is to do a lot of research to find just the right supplies (Current BRC Worker, Discussion 17, January 24, 2019). The city of Edmonton presentation only depicted choking as a violent act that could be “done to” a sex worker, and not as something that can be “done by” a sex worker with a client or done in a consensual way with the worker. Advice around how to develop safe words, defining expectations specifically in relation to dominatrix work and BDSM was not information that was provided during the license information session.

Cowan (2012) notes that sex workers who engage in BDSM in their work are often thought to be doubly deviant and/or vulnerable given their experiences with criminalization and stigmatization. Following Cowan (2012), my work illustrates how BRC sex workers who engage in BDSM are invisibilized by the bureaucratic mechanisms behind the everyday enactment of the bylaw. Municipal bureaucrats and city officials’ conceptualizations not only ignore how choking can be used for erotic play, but that sex workers can be dominant, and can engage in choke play and in pro-domme roles with their clients. It also ignores that there are people who engage in BDSM, and that there are sex workers who engage in BDSM who are knowledgeable about safety concerns and health risks (Lindmann, 2013; Curtis, 2018).

### **Who harms sex workers?**

During the Information Session, the information provided emphasized the potentially dangerous nature of the work and highlighted who was considered to be potential sources of this violence. For example, a PowerPoint slide shown to Information Session participants stated:

there is potential for danger and harm in this industry: STAY ALERT: Service providers can be victimized by: clients, co-workers, and owners (employers). Determine your boundaries and stick to them! Have a safety plan for your operation and review it often! Be wary of offers for assistance/guidance or high-payouts! (Business License Information Session, October 4, 2018).

Here, the city constructs BRC work as inherently dangerous, and presents clients, co-workers, and employers only as individuals who can perpetuate violence. One member of a community-based advocacy group that has been a very vocal presence in the process of the BRC bylaw amendments also brought up this one-dimensional conceptualization of clients and owners. They told me a story about how a worker was not exactly what the “client” was expecting and as a result the individual, “smashed her face in,” and they told me about how a worker “could nearly be choked to death by a guy because he’s paid her” (Discussion 4, May 28, 2018). The discussions I had with bureaucrats and my experience with the Business License Information session illustrate that the dominant conceptualization of BRC clients by the City was often conflated with aggressors. Bruckert and Chabot (2010) note that this discourse creates the impression that clients are “invariably violent” (p. 32). Khan (2018) argues that this reflects a more prohibitionist stance towards sex work as all clients are regarded as “deviants and criminals” (p. 78). Drawing on this work, I argue that throughout the Business License Information Session the city conflated clients with aggressors in their depiction of violence within BRCs.

In addition, the varied experiences that sex workers have with clients was not depicted throughout the discussions that I had with city officials and bureaucrats and was not present in the Business License Information Session. Scholars such as Jeffrey and MacDonald (2006) have discussed how sex workers have varied experiences with clients; some of the workers they interviewed complained about clients, and others discussed how they had good relationships with clients and experienced benefits such as sexual

experimentation and friendships through their work. Similarly, the workers that I spoke with had similar assorted experiences with clients. One current worker told me,

I'm not forced into doing this, I am doing this as a willing participant. You know, and I've met some really cool guys over the years, you know, they send me money every once in a while, to help me out. I don't even have to sleep with them. Yeah, it's just I talked to them, you know, I've built that relationship with them (Current BRC worker, Discussion 16, January 23, 2019).

Here this worker expressed some of their positive experiences with clients; however, they also told me about the more complicated experiences they had with clients. For example, they discussed how some clients request bareback services<sup>46</sup> which made them uncomfortable, and their frustration with clients who solicit services through text messages rather than reading their website (Current worker, Discussion 16, January 23, 2019). Much like the experiences of sex workers who work in other aspects of sex work such as escort-based work, BRC workers' experiences with clients exist on a continuum and are not only either good or bad, they can be nuanced and dynamic. In their research, Jeffrey and MacDonald (2006) noted that the workers that they spoke with presented a textured analysis of their experiences with clients: some clients were kind or good, others were bizarre, some were threatening, and others were violent. One current BRC worker told me that people always assume the worst about clients, but that they had experience with clients from all walks of life and sometimes they had government or other public officials come in (Discussion 18, January 25, 2019). These varied experiences were erased during the Business License Information Session, as the presentation focused predominantly on predatory violence.

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<sup>46</sup> This current BRC worker referred to bareback services as having sex without using a condom (Discussion 16, January 23, 2019).

In addition, from my experience in the Information Session and from the discussions that I had with city officials and municipal bureaucrats, what was missing was a discussion about the history of violence against sex workers at the hands of police officers. For example, sex workers in Ottawa described how sex workers reported acts of violence—from verbal abuse to sexual assault and physical assault (Bruckert and Hannem, 2013). While the workers that I spoke with did not mention this in particular, one worker did tell me about how they still had some anxiety about police. They said, “It’s legal but there is still a bit of a lack of trust with the police, you can run into a few bad eggs, they are not all bad, but some might be less lenient or less understanding” (Current BRC worker, Discussion 17, January 24, 2019). Failing to acknowledge the ways in which police officers have perpetuated harm and violence against workers institutionalizes the erasure of this violence and demonstrates a disjuncture between the content of the Business License Information session and the experiences of sex workers in other provinces and in Edmonton. This continues to represent a considerable gap, not only in the educational aspect of the Information Session, but also in city officials and bureaucrats’ conceptualization of violence against sex workers.

Finally, as the quote from the beginning of this section notes, the city also presents owners as a potential threat to workers. Similar to the textured articulations about clients, sex workers and scholars have discussed how sex workers have a range of experiences working with third parties. For example, in Ottawa, workers have discussed how employers or managers can be a source of abuse or sites of economic exploitation (Bruckert and Chabot, 2010). In the Information Session, economic abuse was discussed, but only to a small extent, and only within the broader context of abuse and control. This

was provided on the same slide that talked about domestic violence, family violence, and sex trafficking. Throughout the session information was provided about how to navigate the complicated work dynamic with owners, suggesting that workers use work contracts that deal with fees, scheduling, conflict resolution, and related matters (October 4, 2018). This information is framed more within the context of the relationship between the owner and the worker and did not highlight how owners could engage as extensively in economic abuse. Rather, economic abuse seemed to be framed more around the issue of trafficking (October 4, 2018). During a conversation with one individual who works for a community-based organization they discussed the power and control that owners can exert over workers, and that BRCs can be “really unhealthy work environments.” They focused on the OH&S issues in BRCs, but they also told me that some of the issues they raised at the Task Force pertained to holding owners accountable and that “a license is a privilege, it’s not a right to abuse people” (Discussion 4, May 28, 2019).

Sex workers and scholars have noted that third parties can also be work sites that offer security or training (Bruckert and Chabot, 2010). Some of the workers that I spoke with articulated that they had positive experiences. For example, one current worker told me, “I love my boss, she is awesome” (Discussion 18, January 25, 2019). Another worker explained how they have struggled with a long-term illness and chronic pain, and that the owner of the BRC was very understanding if they had to miss a shift or if they were late. They said, “She’s very understanding, very compassionate” (Discussion 16, January 23, 2019). However, as I discussed in Chapter Three, in Alberta, BRC workers have a complicated relationship with BRC owners, as BRC workers are categorized as “contract workers,” which means that under the *Employment Standards Code*, they are not eligible

for benefits that could support them should they experience violence or economic abuse. For example, as discussed in the Information Session, BRC workers cannot access the Workers Compensation Benefit or other work-related accident compensation (Business License Information Session, October 4, 2018). As Bruckert and Chabot (2010) note, unlike other workers in Canada, these workers cannot pursue legal avenues to be able to protect themselves. To summarize, even though the City provided some information on economic abuse, the focus was predominantly on physical and sexual violence against workers. In addition, information about trafficking was also a significant part of the Information Session (to be discussed in Chapter Seven) as was sexual health information (discussed later in this Chapter).

### **Addressing Violence: Individualizing Responses to Violence**

In addition to the information about what violence can look like or what it can encompass, the city provided session participants with information about how we as potential BRC workers could address violence. For example, they presented several “de-escalation tips,” which included:

“direct clients rather than having to deny clients,” “make clients aware (verbally) of your services prior to the session beginning,” “if necessary, refer to a higher authority (Would it help for me to call the owner for you?),” “use ‘I feel’ statements rather than ‘you’ statements,” and to “use reflexive statements rather than engage in a verbal battle (‘I feel like you are upset. How can we resolve this?’)” (PowerPoint, Business License Information Session, October 4, 2018).

The PowerPoint presentation also specified: “physical safety is always the most important thing when dealing with upset or hostile people” (PowerPoint, Business License Information Session, October 4, 2018). They also provided information about

Rape Aggression Defense Training (R.A.D.). In addition to the physical safety aspect of the training, session participants were also told about online safety.

Despite the considerable effort by the city to discuss violence against workers and to provide what they believed were helpful solutions to violence, there remains a disjuncture between the information presented in the Business License Information Session regarding physical violence and sex workers' experiences. First, the way in which violence is depicted in the Information session and the solutions provided to participants did not provide a nuanced understanding of sex workers' experiences and placed the onus of violence prevention on the worker, rather than addressing the structural conditions that enable violence against workers. For example, one former BRC worker and former BRC owner told me, "And there's absolutely no way to get that recourse like every time that a man hurt me, ripped me off, you know, filmed me without my consent like did all these things, I had no way to access the Criminal Justice system" (Former BRC worker and owner, Discussion 3, May 11, 2018). Another example includes the R.A.D. defence training, which relies on the idea that sex workers should defend themselves. Furthermore, the cost of the defence training which is \$41.50 to attend was not discussed. This is more expensive than the license for the BRC and could be unaffordable for some workers. In contrast, one current BRC worker told me about how the Information Session made them feel safer on the job:

And it just like informs you, like what could happen, what could happen to you, and how to be safe, and like what to look for, you know because you become complacent, you know, back in the day when I was a stripper, and I was doing stag parties and stuff, and I didn't have sex with anyone. But I was like, going to stag parties and dancing for like, you know, grooms and stuff like that. But like, you know, I was really, I was really on it. Like I was always like very strong, and I didn't have a victim attitude or anything. I never got complacent with that whole kind of attitude. And I forgot a lot of things, you know like about this kind of life.

So, you know, I liked it a lot that course, it was awesome (Current BRC worker, Discussion 18, January 25, 2019).

Even though this worker described feeling safer on the job because of the training, their description reveals a significant onus and responsibility for their own safety. In addition, this individualization points to how sex work is treated differently compared to other forms of labour. As Bruckert and Chabot (2010) note, other workers like nurses and taxi drivers experience situational violence at work, and some workers work in isolation, like sex workers do. However, sex work is distinct from other forms of labour because sex workers are working in stigmatized and criminalized environments (Bruckert and Chabot, 2010), and BRC workers experience criminalization through the Criminal Code and bylaw regulations (Bruckert and Parent, 2014). These individualized solutions to violence obscure the structural conditions that contribute to the violence that sex workers face. The focus on the local or individual responses to violence are reiterated in some of the requirements for BRC owners, such as using Control Plans in BRCs, as I discuss in the following section.

**“Crime Prevention Starts with You!”<sup>47</sup>**

On the PowerPoint, there is a picture of a figure wearing a construction hat and a bright orange hazard vest, and the figure’s one arm is extended out, as if to say “Stop!” or to indicate caution. This is when the City begins to tell the Business License Information Session participants about the “requirement for BRCs to have a control plan” (Business License Information Session, October 4, 2018). Control plans grew out of the *BRC Task Force Final Report and Recommendations*, which recommended that BRCs be required

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<sup>47</sup> From the Crime Prevention Through Environmental Design Information Sheet.

to have security control plan, emergency response plans, et cetera, to be approved by the city prior to the approval of the business license (City of Edmonton, 2015, p. 7). During the Information session, control plans were described to participants as “mandatory for all Body Rub Centres,” and a “list of rules/guidelines to follow” (PowerPoint, Business License Information Session, October 4, 2018). Municipal bureaucrats who help put on the session for potential new BRC workers provided the following examples as issues that the control plan should cover:

describe the security of the building? Are there alarms or panic buttons? Provide information on maintenance of center. Who is in care and control? How will you ensure the minimum of two-person rule? How will you address intoxication at work? Explain how you will prevent intoxicated or aggressive clients from entering? How do you address illegal activities? (PowerPoint, Business License Information Session, October 4, 2018)

The current bylaw does not list “control plans” as a requirement. However, it does list similar requirements. For example, the current bylaw notes that for every licence, the licensee (or the owner, as I have been referring to them) must display a poster that has been approved by the City Manager<sup>48</sup> that identifies the conditions and other information relevant to the operation of the BRC. In addition, they must also comply with “an approved security plan and comply with an approved patron management plan” (Section 34 of Bylaw 13138, 2019). One oversight by the City is that the *Security and Patron Management Plan* is not defined in the bylaw. This is a difference between the wording of the bylaw and the work of the BRC Task Force. However, the bylaw does define a patron management plan, which includes:

- i. Refusing entry to or removing from the Business premises Persons who appear to be intoxicated or under the influence of drugs

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<sup>48</sup> According to Bylaw 13138, the position of City manager refers to the Chief Administrative officer of the City of Edmonton, or a delegate (City of Edmonton, 2019, Bylaw 13138, Section 2).

- ii. Removing Persons whose behaviour becomes quarrelsome, riotous, or disorderly
- iii. Removing Persons who are involved in illegal activities, such as drug possession or trafficking
- iv. Reporting illegal activities to the Edmonton Police Service; and
- v. Refusing entry to Persons identified by the Edmonton Police Service who, within the past three years, have been convicted of an indictable criminal offence (City of Edmonton, 2019, Bylaw 13138, Section 33).

The above information is from the BRC-specific portion of the Business Bylaw, and it contains significantly less information about the requirement for BRC owners and managers than the *Security and Patron Management Plan Application*. The application form<sup>49</sup> that owners are required to complete and submit to the City requires that owners must also provide information or acknowledge the importance of the following about what they consider personal and physical security: ensure that there are at least two people working (at least one must be a manager) and if there are not two people, the BRC must close; provide the names of individuals who are in “care and control” of the property who are not BRC workers; the BRC must be available at all times for enforcement officers to engage in inspections and to speak with the owner when requested; ensure there are translators if necessary; and provide the names of individuals who are responsible for maintenance of the BRC (City of Edmonton, Security and Patron Management Plan, 2019, p. 3-6). They must also provide information about the layout of the business (which the City defines under working conditions), which includes indicating the number of rooms, but goes further to specify that no one may live within the BRC, that BRC workers may not work if they have consumed any alcohol or drugs, and if they have the owner must ask the BRC worker to leave, and that there must be

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<sup>49</sup> Some of the requirements of the Security and Patron Management Plan have been listed in Chapter Three. For the sake of brevity, I have not listed them here. Here I have focused on the requirements that are not already discussed.

designated smoking areas (City of Edmonton, Security and Patron Management Plan, 2019, pp. 5–6).

With regards to what the City (2019) refers to as “technical” security, the owners must provide information as to whether a security system is used, and how it works; whether or not they have security cameras, how long the footage is kept and who has access to it; information regarding panic buttons in the rooms, how they are tested, and if they are connected to the broader security system; staff emergency training, and how cash is stored and dealt with; and if staff are trained for emergency situations (City of Edmonton, Security and Patron Management Plan, pp. 6–9).

The final part of the application deals with “disorderly patrons.” In this section of the application, the owner must provide information about how to address clients who are intoxicated or disorderly: if they provide any training to workers and receptionists on how to address this behaviour; if they refuse entry to these individuals; if the owner keeps track of these individuals; if staff are informed about the poster, which must include information about the operation of the BRC; if staff are aware of how to report both non-emergencies and emergencies; and they must ensure that minors are not allowed into the business (City of Edmonton, Security and Patron Management Plan, 2019, p. 10-12). The application also details how depending on the “offence,” owners can face fines from \$200–\$2000 on the first and second “offence.” For the third offence, the court decides what the fine is (City of Edmonton, Security and Patron Management Plan, 2019, p. 13). These conditions on a business can be seen as similar to the restrictions that are placed on other workplaces, such as office towers.

However, one former worker and BRC owner told me about how they felt the control plans do not adequately address the violence or challenges that BRC workers may face working in a BRC:

It's all just posturing, and it's really not applicable and not helpful like their safety plan now that is part of the implementations. I'm sorry, but you know, no piece of paper is going to protect somebody when it's two people alone behind closed doors and the door's typically locked and there's nothing to stop a man from just strangling a woman in the room (Former BRC worker and owner, Discussion 3, May 11, 2018).

They also told me their concerns regarding the use of video cameras in the control plans and their particular experiences as an indoor worker. They told me about how if they worked on the street it would have been easier to get identification from a bad client or should there be any concerns with a client<sup>50</sup>:

I would have got a vehicle make and model, or I could have taken something from his vehicle like a business card or his ID or something to identify him, but in studios it's nothing. You know, there's, you have nothing, and everyone's like all these cameras we're going to put can make it mandatory for the safety plan to have cameras. What does that do? You know the guy may not even live in Edmonton. And we can see that all the time (Former BRC worker and owner, Discussion 3, May 11, 2018).

This discussion illuminated to me that while this particular requirement places the responsibility for safety in the workplace on the owner of the BRC, these requirements are still distant from the work experiences of BRC workers. It also demonstrated how the municipality attempts to address the safety and security of sex workers. However, even though some other forms of labour may have similar regulations, sex workers continue to face criminalization—something that many other workers do not have to navigate. As Maynard (2018) has noted, working conditions in the sex trade can be difficult and many

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<sup>50</sup> Although this former worker makes an important point, they also did not discuss the disproportionate amount of violence that street-based sex workers face (Bruckert and Chabot, 2010; Maynard, 2018).

workers face violence, especially Indigenous, migrant, racialized, and street-based workers. However, Maynard (2018) notes that these conditions are exacerbated by how some aspects of sex work are criminalized. In addition to the “control plans,” security and physical safety are emphasized in the Crime Prevention Through Environmental Design (CPTED) approach, which is encouraged by the City of Edmonton.

### **Crime Prevention Through Environmental Design**

A lot of the discussion was about making homes and businesses more “secure.” The most interesting thing to me throughout the entire presentation was the different, and very subtle ways that the police were teaching people to create almost a distance between them or a building, or anything nefarious that could be considered a threat. This was often discussed as done through the design of the outside of a building through everyday objects like sidewalks, plants etc. (Reflections from field notes, August 22, 2018)

I originally came across the City of Edmonton’s use of CPTED during the initial stages of my research; however, I was able to gain greater and more in-depth knowledge of this technique by attending a public community event, where I listened to police officers describe CPTED and how community members can use it. I considered CPTED important to this work because of how BRCs are conceptualized. Understanding issues connected to BRC as a matter of crime prevention through environmental design reflects a desire to address crime through architecture and urban design rather than addressing the structural factors that contribute to and shape crime. As I discuss below, CPTED contributes to the narrative of BRCs as connected to crime or linked with criminality.

The Safety Audit Guide for Crime Prevention from the *Making Edmonton a Safer City Initiative* discusses how CPTED “offers perspectives that help in the identification of problems and leads to solutions for a safer neighbourhood” (City of Edmonton, 2000, p. 6). This document also reveals a focus on community “as the focal point in crime

prevention” (City of Edmonton, 2000, p. 9); however, as I mentioned in Chapter Four, identifying who is included as inside the community is central to understanding how BRCs are conceptualized by the city. Similarly, this notion of community has shaped how CPTED is incorporated into municipal policies.

One municipal bureaucrat told me about how prevalent CPTED is in the City of Edmonton: “Yeah, it’s fairly engrained now within the City limits and as an organization so whether you know, whether it’s land use planning or anything that we’re doing any type of infrastructure there’s a CPTED lens applied to it now” (Discussion 8, August 30, 2018). In addition to the mundane application of CPTED to public infrastructure in Edmonton, the *Body Rub Centre Task Force Final Report and Recommendations* (City of Edmonton, 2015) noted that CPTED was recommended as one mechanism to address perceived “decay” that community members believed BRCs brought to “vulnerable” communities (p. 9). Under the section Community Impact the report states: “representatives of vulnerable neighbourhoods were concerned that high concentration of BRCs and their tendency to co-locate with liquor stores and pawnshops contributed to urban decay in their neighbourhood” (City of Edmonton, 2015, p. 9) Here BRC workers and BRCs are conceptualized as something that brings neighbourhoods down, introduces crime and disorder, or contributes to the decay of the neighbourhood (Lowman, 2000; Ross, 2010). The report recommends CPTED be used when the City reviews applications for development permits for BRCs (City of Edmonton, p. 9). This connection between a crime prevention tool as a mechanism for addressing concerns regarding community decay reproduces the idea of BRCs as businesses that are inherently criminal or violent.

According to an Edmonton CPTED document I received at the community event meeting, CPTED includes both “natural” and “other” forms of surveillance: it includes access control, such as who can enter and leave a property, and territoriality, which the document defines as ensuring that people know the property is well cared for (CPTED Edmonton document, p. 2). Interestingly, the document refers to surveillance as “the sense of seeing and being seen in any space” (CPTED Edmonton document, p. 2). It also discusses natural surveillance as: people observing what is happening around them in an area, “businesses and residences watch their surroundings,” and encouraging use of public areas (CPTED Edmonton document, p. 2). In addition, the document also lists other forms of surveillance including: “citizen foot patrols, Neighbourhood Watch groups and security patrols” along with “cameras, alarms, mirrors” (CPTED Edmonton document, p. 2). Here I return to my reflection from the beginning of the section where I discussed a sense of distancing between community members and things or people that are viewed as offenders. This document reproduces that same sentiment of creating distance between perceived problems, disorders, crime, and a property or a community resident.

My work illustrates that CPTED should be understood as a double-edged sword for BRCs: first, it encourages BRC owners to put up cameras and alarms, which could help workers should violence or theft occur at work. However, the workers and former workers that I spoke with had differing opinions on the use of cameras. As I discussed earlier, one former worker told me about how they felt the cameras did not adequately address the issues in the BRCs (Discussion 3, May 11, 2018). Another current worker told me about how when they worked at one BRC they had cameras and it made them

feel safer, “because if something happened then it’s on camera right, it’s easier just to see who is like, coming through the door” (Discussion 16, January 23, 2019).

However, as CPTED calls on neighbours and other businesses to watch over each other and to watch individuals in a certain area, it adds an additional layer of surveillance to a form of labour that is already criminalized and stigmatized. In Chapter Four I demonstrated how BRCs are both invisibilized while also hyper-regulated and surveilled. I build on this in this chapter by arguing that CPTED contributes to the surveillance of BRCs and those who work in them, which again positions BRCs and BRC workers as outside of or in opposition to “nice” communities (Lowman, 2000; Ross, 2010).

In addition, asking neighbours to watch over one another or use cameras adds another layer of surveillance, which now extends into the community, and contributes to the surveillance of BRC and workers. Here I return to my argument that the surveillance of BRC work is one way that carceral logics have been extended in the bylaw which contributes to a carceral form of harm reduction, which in turn leads to the further stigmatization of BRC workers. In addition to the emphasis on physical safety and reducing physical violence in BRC, the City of Edmonton also places a significant emphasis on sex workers’ sexual health, which I now turn to.

### **“Condoms Don’t Fit me”<sup>51</sup>: Sexual Health Education and BRCs**

“Condoms don’t fit me”:

- Usually FALSE
- Condoms are one size fits most! They can stretch and they fit almost anyone.
- Wider/narrower condoms are available for those who don’t fit.
- Try and internal (“female”) condom (PowerPoint, Business License Information Session, October 4, 2018)

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<sup>51</sup> PowerPoint, Business License Information Session, October 4, 2018.

This is a short description of some content that participants were provided during the Business License Information Session. During the information session I noticed that it seemed that the presentations were geared towards women, including the information on sexual health (Reflection Notes from October 4, 2018). In this section, I explore this tension by discussing how the sexual health component of the Business License Information Session shapes the BRC regulations, and how this contributes to the ongoing stigmatization of BRC sex workers.

The sexual health information provided in the Business License Information Session is not the first time that the City of Edmonton has interwoven sexual health with BRC regulation. The regulation of the sexual health of BRC workers has deep historical roots in Edmonton and has been institutionalized within the regulation of BRCs since the creation of the original BRC bylaw. The original bylaw created in 1976–1977 required that all applicants for a “body rubber’s license” include a certificate from a physician and a surgeon who were recognized by the province of Alberta that stated that the applicant was “free from any communicable diseases, as defined in the *Public Health Act of Alberta*” (City of Edmonton, 1976–1977). This connection between sex work regulation and medical professionals and public health regulation has important roots in the 1892 vagrancy section of the Canadian Criminal Code, which had provisions that allowed police officers to subject women who were assumed to be sex workers to mandatory medical exams (Brock, 1998 as cited in van der Meulen and Durisin, 2018).

In addition, the original BRC licenses were regulated by law enforcement and provincial health officials; all licenses were required to be referred to the Chief of Police and the Medical Officer of Health, and an individual could not receive their license if

these two officials did not provide a favourable report (City of Edmonton, 1976–1977, p. 8). Furthermore, the applicant for a “body rubber” license would also need to provide a certificate from a physician and surgeon that declares that they are free of “communicable diseases as defined in the Public Health Act of Alberta” (City of Edmonton, 1976–1977, p. 8). This highlights the omnipresent nature of law enforcement within sex work regulation and the institutionalized role of medical professionals within the regulation of BRCs in Edmonton. Even though the new BRC bylaw does not include this type of clause, medical professionals and law enforcement are still deeply involved in the regulation of BRCs. For example, Alberta Health Services (AHS) is deemed responsible for providing health information to BRC workers and support staff (City of Edmonton, 2015, p. 7). Drawing on Redwood (2018), and Khan (2018), my work demonstrates how BRC workers’ sexual health is surveilled more closely than that of other types of workers. For example, the presence of AHS within the BRC regulatory regime reproduces the longstanding trope of sex workers, in this case BRC workers, as inherently “dirty” and more particularly as individuals who bring risk to communities by being vectors of sexual health infections or diseases. This trope has been documented by sex workers and sex work scholars (Redwood, 2018; Khan, 2018; Bruckert and Chabot, 2010). Further to the role of AHS, I argue that the sexual health education component of the Business License Information Session contributes to the ongoing conceptualization of BRC workers as “at risk” of getting an STI, and “risky,” as they are conceptualized as potential vectors of disease (Khan, 2018; Wright et al, 2015). In the following section I explore how sexual health education is conceptualized by some of the individuals who provide this portion of the Business License Information Session.

### **“Candy Shop”<sup>52</sup>: Sexual Health Education and BRCs**

Some of the individuals who help provide the sexual health information portion of the Information Session conceptualized sexual health and education as a form of empowerment and human rights. For example, an individual told me, “...it’s like everyone has the right to this information. To me, it’s like a human right for people to understand the complexity of human sexuality, because it’s something that affects everybody” (community-based organization, Discussion 12, November 23, 2018).

Another person told me about how they try to teach empowerment through sexual health education,

because a lot of people are already aware about the STIs out there, STI clinic, but I want to come, I want to come from the perspective of empowering you to feel comfortable in your own body, you go on to use barrier methods.... Because we go through the ABCs, but the tone of empowerment and embracing, and it becomes part of who you are and then in turn I’m hopeful that it should spread positively so if you meet somebody and they go, “Oh that’s really fun to use,” or “I didn’t even know they had that flavour” or “I didn’t know they were putting lube in the condoms”....that is what I try and do rather than just doing the old “Oh my god you’re going to get hepatitis, you’re going to get chlamydia, or you’re going to get gonorrhoea” (community-based organization, Discussion 13, November 29, 2018).

What I consider important here is that this individual’s statements focus on notions of empowerment, and they even discuss trying to move away from a fear-based discussion around sexual health; however, they also emphasize STI testing. While they are careful to not engage in scare tactics around STIs, the emphasis on testing continues to place the onus on workers, rather than acknowledging the ways in which regulations and criminalization may contribute to workers not feeling comfortable using condoms or other sexual health materials (dental dams, lube, et cetera). As Bruckert and Chabot

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<sup>52</sup> Community-based organization, Discussion 13, November 29, 2018.

(2010) note, “despite the lack of epidemiological data linking sex work and the spread of HIV, individuals in the sex industry continue to be responsabilized” (p. 33). Anderson, Shannon, Li, Lee, Chettiar, and Goldenberg (2016) found that in Vancouver, the criminalization of incall locations contributes to workers not being able to have sufficient access to condoms, as police often raid indoor-based sex work locations and have used condoms as evidence of sex work taking place. They note that this has particular impacts on migrant workers, as interactions with police contribute to fears of arrest and having residency or immigration status being revoked (Anderson et al, 2016). One current Edmonton BRC worker expressed a similar anxiety with regards to condoms. They told me about how before the rules changed, workers had to be very discreet about how they disposed of condoms and other sexual health products (Discussion 18, January 25, 2019). They also mentioned to me that even with the changes to the rules, some workers are still very discreet because there’s still a lack of trust with police.

In contrast, some individuals described what I interpret as a worker-centered understanding of the role of sexual health education and the BRC bylaw. For example, one person told me,

maybe some [people] aren’t interested in sexual activity, but we know, like, a lot of people in our society are going to for many, many reasons, and some of it’s like financial, some of that is like, that’s their job they do for work are going to engage in sex. So how can we make it so that they are making the best decisions for themselves....we’re talking to people who are experts on their own lives (community-based organization, Discussion 12, November 23, 2018).

Here this individual not only highlights how sex work can be a job, but they also emphasize the knowledge or expertise of those with the lived experiences. This focus on the knowledge of sex workers and sex workers’ advocacy organizations was something that was not included in the Business License Information Session that I attended. Two

workers that I spoke with demonstrated some of the challenges that some BRC workers face in the workplace with regards to sexual health. One current BRC worker told me about how they navigate a challenging circumstance with respect to sexual health. This particular discussion highlights how some Edmonton BRC workers make decisions that are best for them, and the expertise that they bring to their work. This worker told me about how since they had returned to working in BRCs, there are a lot of clients who ask for bareback full service (Discussion 16, January 23, 2019). This came up during our discussion when we were talking about safety on the job after the city had eliminated any fees for the BRC practitioner license. They told me that they considered bareback service to be a “big risk” on the job, because a client “has sex with you without a condom, and they finish inside of you. So, you don’t know where they have been. And you don’t know what they have” (Discussion 16, January 23, 2019).

Another current BRC worker told me about how they navigate and understand sexual health in the workplace. They said they know that workers offer different services, but they told me about how important they considered using condoms and sexual health testing to be (Current BRC worker, Discussion 17, January 24, 2019). This illustrates what Redwood (2018) and other scholars and sex work activists have said about sex workers having a significant understanding of their own sexual health and best practices. As Redwood (2018) notes, “in my experience sex workers communicate about sex and sexual health directly with their clients, and just like construction workers, they know the tools of their trade” (p. 177). This worker-centred perspective of on-the-job challenges and information about changes in client trends from the perspective of BRC workers was not included in the Business License Information Session.

The empowerment lens and the worker-centred approach stand in contrast to what another individual told me about the City of Edmonton’s approach to the issue of sexual health: “...I think that, from what I hear, it’s a nuanced conversation, there is a little bit of a bias, or a certain lens of although you’re doing this and you’re doing this legally, it’s still the old, like, you’re a prostitute kind of mind frame...” (community-based organization, Discussion 13, November 29, 2018). They also shared this story about their experience:

I noticed the other day one of the co-facilitators from the city was laughing. She’s like, “You make condoms sound like such a big thing you’re the only person who raves on about condoms,” no the comment was, “I didn’t realize you were like that” because I was so....Because I said I was joking around with the clients that were there<sup>53</sup>, I was saying to them that, you know what you can do like, you know the issues with their clients not wanting them to use condoms, why don’t you just make yourself a themed special? To get glow in the dark condoms and make it Star Wars themed, and like rock it.... (community-based organization, Discussion 13, November 29, 2018).

Here it seems that this individual was shamed and ridiculed for providing sexual health information in a way that aims to de-stigmatize sex and focuses on pleasure. From this quote, it seems that municipal bureaucrats are fine with providing sexual health information to BRC workers as long as it is more within the realm of public health; however, there is some discomfort when the information is provided in a way that aims to destigmatize sex or that frames the information along lines of pleasure—either sexual pleasure or in a more sex-positive lens. This echoes what one city official had told me about how this discomfort with sex had played a role in the discussions around the BRC bylaw: “What’s interesting to me, is that this is all reflected in a culture of society that has so many hang-ups still about sex. Yeah, so I’m not sure we’ll ever be able to have a

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<sup>53</sup> Here when the individual said client, they were referring to workshop participants, not BRC clients.

rational debate about this” (Discussion 10, September 24, 2018). It also demonstrates how different individuals who enact parts of the BRC bylaw have varying ideas of sex, which means that they bring a different perspective to their work on the BRC bylaw. Further, it illuminates how a stigmatized view of sex, and BRC sex work in particular, is still taken up by some individuals within the City of Edmonton bureaucracy.

Even though some of the individuals from a community-based organization took a more sex-positive and empowering approach to talking to workers about sexual health, some still had very contradictory conceptualizations of sex, risk, and of the role of government institutions in the regulation of sexual health. For example, one individual told me about how they would like to see an increased role of provincial health services:

I do think, something that would be awesome, is partnering more with, like, Alberta Health Services too, because I know, like, there are, there is an outreach, like STI outreach team that if they have the capacity would like go, to like each place and do testing. But I think the way the STI clinic works now is, it’s like a walk-in clinic. And it’s really busy, so you have to go at like 8:30 in the morning (community-based organization, Discussion 12, November 23, 2018).

Rather than considering the possibility of Alberta Health Services or the Government of Alberta dedicating more funding to sexual health education, clinics, or to resources that are put on by sex workers for sex workers, this individual emphasized that it would be ideal if Alberta Health could go into BRCs and test workers there. This view reinforces the notion of sex workers as inherently “dirty” (Redwood 2018) and legitimized the arguments for greater regulation of BRC sex work without considering what impact increased regulations would have on workers. Furthermore, this conception treats sex work, and BRCs more specifically, differently from other forms of labour. It also embeds AHS into the regulation of BRCs. One current sex worker and BRC owner told me about their experience and opinion of AHS visits to BRCs, and how AHS offers to test the

workers for STIs (Current worker, owner, and sex work advocate Discussion 9, September 13, 2018). What they emphasized to me was how intrusive and often ineffective these types of visits were:

Somebody saw, “Oh how nice health services they come by. And they offer to let you pee in a cup. And you don’t even have to go down to the STD clinic, you can just pee in the cup and they’ll let you know if you got anything. And how convenient is that?” And I just thought, how would you feel if somebody came over to your office?..... You should always be aware of your own personal hygiene and your own personal well-being. And if there is a problem, you shouldn’t hesitate to run down to the STD clinic. Everybody knows it’s anonymous. That’s the beauty of it. So how anonymous is it exactly when these people know where you work?...But I’m thinking it’s not as private as you’d like it to be. You know, the whole thing is just nonsense. I don’t think much of it. (Current BRC worker, owner, and sex work advocate Discussion 9, September 13, 2018).

This quote highlights a disjuncture between the conceptualizations of the individual from the community-based organization who provides information regarding sexual health and what they think would be helpful for BRCs, and the experiences described above of a BRC worker and owner. It ignores that some sex workers still face challenges accessing the health care that they need due to stigma. For example, as Redwood (2018) notes, sex workers continue to face barriers to HIV prevention and treatment due to the ongoing criminalization and stigmatization of sex workers and those who are HIV positive. Other sex workers have talked about how doctors have refused to work with them because of their work or have chosen to put them through onerous STI tests despite that not being the best course of action given the symptoms (Spanjer, 2019). As Redwood (2018) notes, people often think that sex workers experience a lot of sexually transmitted infections. They argue that there are other professions—such as doctors and nurses—that are often surrounded by sick people and are often touching other bodies, but that these professions are not subject to being conceptualized as “dirty” the way that sex workers are

(Redwood, 2018). The city also fails to recognize that there are free STI clinics in Edmonton, and that these clinics can provide the same information to workers who come in. Many of them also fail to recognize that sex workers themselves have a significant knowledge about sexual health (Redwood, 2018, p. 176).

Similarly, aspects of the sexual health education component of the training emphasized the “risk” aspect of sex. For example, one individual talked about how sexual health education is something they consider to be a part of reducing violence:

I think the more people know about their bodies, about the benefit and the risks, is really important. Because I think in our society, we talk a lot about like, the risks of sex, but we don't talk a lot about like, the reasons people have it, you know, pleasure, fun, intimacy, fulfillment. So, I think we have, obviously it's still such a taboo subject, and very stigmatized....So I think yeah, the more people know, the more they can question or like challenge the sex negativity that's kind of inherent in our society...we're constantly bombarded with sex, but that doesn't mean that's in a way that's celebrating how it can be positive in people's lives, but also being realistic about the risks that are associated with it (community-based organization, Discussion 12, November 23, 2018).

This description of sexual health education locates BRCs within the realm of violence prevention, which I argue reproduces the rhetoric of sex work as inherently dangerous or risky. As I show in this chapter, sexual health education is one element that plays a role in reproducing the view of sex work as dangerous or risky. Similarly to what I noted above regarding the R.A.D training and violence prevention, this focus on risk and sexual health places the onus on addressing violence on the worker by emphasizing an individual's knowledge about both the benefits and risks of sex. This understanding of the role of sexual health education reveals the ongoing conceptualization of BRC workers in Edmonton at the intersections of sex workers as “victims” and sex workers as disease-ridden or a public nuisance (Khan, 2018). This conceptualization is especially poignant given that BRC owners do not have to take an Information course or sexual health

education as part of receiving their BRC business license. As a result, the responsibility for sexual health falls entirely on individual BRC workers, and the knowledge that sex workers have regarding sexual health is ignored.

However, one individual who referred to themselves as “a glorified sex-ed teacher,” told me about how the participants of the Business License Information Session taught them a lot about sexual health:

And then lots of like, really in-depth knowledge that I’ve learned, especially from these licensing sessions, like, I’ll be talking about a particular STI, and one of the participants will just raise their hand and tell me this very in-depth piece of knowledge about either a symptom or the diagnosis...people have little pockets of knowledge, really in-depth knowledge, because they’ve experienced it themselves....So it’s been a lot of learning for me that I’m able to get from these sessions which is really cool (community-based organization, Discussion 15, December 14, 2018).

Despite the acknowledgement that they learned a lot from the session participants, there was no indication to me throughout my research that BRC workers or sex workers’ organizations were spoken to or worked with to create the content for the Information Session, or the sexual health component of the session. This approach ignores the systemic and structural barriers that sex workers continue to face. As Sanders and Campbell (2017) note, safety cannot be placed on the individual worker—structural conditions are as necessary to address as are the creation of policies that promote the human rights and employment of sex workers (as cited in Shaver, Bryans, and Bhola, 2018).

In conclusion, the Information Session, Control Plans in BRCs, and the use of CPTED for the design of BRCs are all tangible requirements of the BRC bylaw for either owners or workers, and they each play a significant role in the organization of BRC work in Edmonton. These requirements are elements of the municipalities’ broader desire to

address the safety of BRC workers within their broad and undefined harm reduction approach. Even though the City does not have a harm reduction statement or definition of what is considered harm reduction, I contend that what constitutes harm reduction is evident in how the BRC bylaw is written and enacted. My critical analysis of the BRC requirements reveals three important factors. First, the ongoing surveillance and stigmatization of BRC workers; second, the Information Session as one enactment of the bylaw shifts the onus from the City onto the workers for their own health and safety and invisibilizes the structural conditions that contribute to violence within sex work; finally, the control plans and CPTED place a degree of responsibility onto owners, but again the structural conditions are brushed aside by municipal policymakers. These aspects of the bylaw and their enactment illustrate that the City's approach to harm reduction can be understood as a bureaucratized and carceral form of harm reduction. This form of harm reduction invisibilizes the structural conditions that impact BRC work, and it undermines and is in opposition to the politicized and radical roots of harm reduction (Smith, 2012; Roe, 2005). The City has reconfigured harm reduction and misappropriates it in its application to BRC work. The following chapter builds upon the discussion of sex workers' safety and discourses of violence by exploring the ways in which concerns around human trafficking have shaped the BRC bylaw and as a consequence, shaped the work of BRC workers.

## Chapter Seven

### **“Leaving Nexium”<sup>54</sup>: Institutionalized Fear of Human Trafficking in Edmonton’s BRC Regulations**

There is another interesting, that was sex trafficking of smart, successful, women, it was a cult, and it was like the mind control they used was really, anyways I highly recommend it. It’s a CBC podcast, ‘Leaving Nexium’... (City official, Discussion 10, September 24, 2018).

This is a short excerpt from a discussion with two city officials, one who was very involved in the recent changes to the BRC bylaw and the other who was relatively new to their position as a city official. Even though I had not raised the issue of sex trafficking, let alone cults, during this discussion the two city officials made the leap from BRC regulations to trafficking to cults. I experienced this particular discussion as an emotional dialogue, based more on sensationalist media narratives about trafficking and cults than on feedback from BRC workers presented to the city during the bylaw amendment process. This brought my attention to the ways in which discourses of trafficking not only continue to be conflated with sex work, but also how discussions with policymakers on sex work continue to evoke emotional connections to exceptional and sensationalized media narratives (Bernstein, 2010; Toupin, 2013). The above quote illustrates how these two city officials conceptualize sex work, in that they either intentionally or unintentionally connected the issue of sex work to the morally and emotionally charged issue of cults and trafficking. This was not the first time that trafficking had been brought up by the people that I spoke with. While the issue of cults was not specifically raised in any other conversation, the topics of human trafficking and exploitation (broadly) were often raised during discussions and in the Business License Information Session that I

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<sup>54</sup> City official, Discussion 10, September 24, 2018.

attended. This chapter explores how discourses of human trafficking have become institutionalized and taken up by Edmonton city officials and municipal bureaucrats in the formation of the BRC bylaws, and subsequently how BRC work is organized through these understandings.

When I began my research, I deliberately did not raise the issue of human trafficking with bureaucrats, city officials, workers, or members of community-based organizations unless they brought it to my attention. This was a particularly conscious and political choice, because despite the work of scholars and sex work activists to deconstruct the conflation of all sex work as trafficking, this conflation continues to be normalized, particularly by policymakers. Given that I was seeking to reveal the ruling relations that socially organize BRC bylaws, I did not want to begin by making the assumption that trafficking discourses had guided the City's work, nor did I want to begin from the point of reproducing this conflation between sex work and trafficking. This conflation by policymakers has led to policies that often harm sex workers, for example the changes to the Temporary Foreign Worker Program, which made it illegal for migrant workers to work in erotic dance establishments (Durisin and Heynen, 2015 as cited in Lam and Gallant, 2018).

This chapter builds on the previous chapter by connecting the ways in which notions of safety and narratives of violence are intertwined with the fear of trafficking, and how this fear was mobilized by city officials and municipal bureaucrats when shaping and enacting the BRC bylaw. In addition, in this chapter I demonstrate how the BRC bylaw is connected to and shapes another municipal policy—the Access Without Fear (AWF) policy. Following the arguments made in Chapter Four, Five, and Six, I

expand on the notion of carceral harm reduction to explore how the bylaw and the fear of trafficking has contributed to exclusionary and enforcement-based mechanisms as core functions of the bylaw. In this chapter I illustrate how the fear of trafficking impacts BRCs workers, but also the particular impacts it has on migrant, Indigenous, and non-white workers. The discourse and concern of human trafficking shaped and organizes BRC work along racial lines, and I demonstrate how this occurs by examining three elements of the BRC bylaw: 1) The Business License Information Session, 2) BRC inspections, and 3) the City of Edmonton's AWF policy.

In this chapter, I argue that those racialized as non-white, migrant workers, and Indigenous workers are simultaneously hyper-surveilled and invisibilized. This process occurs in addition to the surveillance and erasure that BRC workers already face. This chapter demonstrates that even though the City of Edmonton describes BRC work as "legitimate," how the BRC bylaw is enacted continues to stigmatize workers. This stigmatization is an extension of the carceral logics of the Criminal Code and undermines core harm reduction principles.

### **Anti-Trafficking and Sex Work**

The issue of human trafficking and particularly sex trafficking has a long history, but there was heightened global attention on the issue in the early 1990s with the increased migration of women from Eastern Europe and Asia after the dismantling of the Soviet state and the changing social and economic regimes in those areas (Berman, 2003; Kapur, 2005; Doezema, 2002). Hunt (2013) notes how in Canada the discourse of trafficking has had particular impacts on Indigenous women. Over time there have been a variety of global organizations that have developed to address the issue. One key moment in the

trajectory of the international concern regarding trafficking is the definition laid out by the United Nations in the *Protocol to Prevent, Suppress, and Punish Trafficking in Persons Especially Women and Children* (UN, 2000). The UN defines trafficking as:

The recruitment, transportation, transfer, harbouring or receipt of persons, by means of threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power of a position of vulnerability, or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery, or practices similar to slavery, servitude, or the removal of organs (United Nations, 2004)

This has often been contrasted or compared with the descriptions laid out by the Coalition Against Trafficking in Women (CATW), and the Global Alliance Against the Trafficking in Women (GAATW) (Toupin, 2013). The CATW understanding of trafficking does not provide any distinction between trafficking and sex work (Toupin, 2013). On the other hand, GAATW bases their understanding on the principle of migrant women's right to self-determination and they take on a broader definition of trafficking (Toupin, 2013).

As these three examples highlight, the concept of "trafficking" has many definitions and has been taken up differently by varied organizations and governments, and in some cases definitions of trafficking are extremely vague. As Kempadoo, Sanghera, and Pattanik (2005) have noted, even the definition laid out in the Palermo Protocol is vague and has been applied differently in various countries. This vague definition or generalizations about trafficking have led to the conflation of trafficking with migration (Sanghera, 2005; Roots, 2013).

As I noted in Chapter One as well as Chapter Two, I have situated this work alongside sex workers, activists, and scholars who conceptualize sex work as a valuable, important, and legitimate form of work. Along with other scholars, a core component of

this understanding of sex work is a critique of dominant anti-trafficking narratives and discourses, and the recognition of the harmful conflation between trafficking and sex work (see Agustin, 2007; Kempadoo and Doezema, 1998; Kempadoo, et al, 2005). One consequence of this conflation is the erasure of the experiences of migrant and domestic sex workers. In particular, this discourse relegates all migrant sex workers into the realm of “trafficking victims” rather than understanding them as migrant workers or irregular travelers (Agustin, 2005, 2006, 2007; Kempadoo and Doezema, 1998; Kempadoo, et al 2005; Cheng, 2011; Williams, 2013). For example, in her study based on the experiences and criminalization of Asian migrant sex workers in Canada, Sutdhibhasilp (2002) found that “Asian migrant sex workers are frequently labelled victims of ‘sex trafficking,’ whether or not the women’s situations involved trafficking or labour exploitation” (p. 177). Further, the ways in which the label of “trafficking victim” gets taken up are much more complex than anti-trafficking campaigns or organizations describe. For example, in her study of women arriving in British Columbia, Sharma (2005) found that women and children are most often labeled as “victims of trafficking,” and that “women exercised agency in appropriating the label of ‘trafficking’ and ‘victims’ in order to stay in the country” (Sharma, 2005 as cited in Zheng, 2010, p. 9). “Their claim to being trafficked was not informed by their lived experiences, but by Canadian immigration laws, legal categories, and feminists who offered this frame to them” (Zheng, 2010, p. 9). In other words, these women appropriate the category of “trafficking victim” that the government made available to them yet are confined by this categorization. This demonstrates the difficulty in the conceptualization of the “trafficking victim,” and points to the role the state and particularly immigration laws plays in the construction of the

label. This highlights the particular ways in which trafficking discourses are taken up by policymakers, and the ways in which these policies can be distant from the lived experiences of those they purport to help or support.

In this chapter I follow Lam and Gallant's (2018) definition of a migrant sex worker, which is "anyone who has left where they live to go to another place (through formal or informal channels) and who works in the sex industry" (p. 295). Lam and Gallant (2018) note: "migrant sex workers labour experiences and working conditions differ substantially according to their gender, age, race, class, and immigration status" (p. 295). Migrant sex workers face significant challenges in sex work due to police raids of migrant sex industry's businesses, precarious citizenship status, deportation, and the ongoing criminalization of sex work (Butterfly, 2016; Hemptsead, 2015 as cited in Lam and Gallant, 2018). The dominant anti-trafficking movement conflates any form of sex work with trafficking as it constructs sex work as inherently coercive and exploitative (Agustin, 2007; Kempadoo and Doezema, 1998).

In contrast to the term "trafficking victims," the term migrant sex work(er) situates sex work as a form of labour rather than as an inherently abusive industry, or as a form of gendered violence. This conception allows the analysis to centre on issues of labour and migration and how they impact the workers (Jagori, 2005). In the following two sections I trace how trafficking is conceptualized throughout municipal texts, by city officials and bureaucrats, and by community organizations. I discuss the contradictory logics and tensions that revealed themselves in my discussions with bureaucrats, city officials, and members of the community organization.

## **Human Trafficking in Alberta**

In addition to speaking with a number of city officials and bureaucrats, I also spoke with one member of an anti-trafficking organization based out of Alberta. One of the city officials who had been very involved in the amendments to the bylaw had mentioned to me how they had learned a lot from members of this organization (Discussion 5, June 8, 2018). In contrast to the discussions that I had with city officials about trafficking, this individual held a more nuanced understanding of the relationship between BRCs and trafficking. For example, when discussing trafficking, they explicitly addressed the issue of the conflation of sex work with trafficking:

So, we work specifically around the issue of human trafficking. And obviously, individuals we have been are being trafficked would be a minority of the people who are working in body rub centers, though we do try to be careful about the conflation of sex work with trafficking, which is really easy to do. And while, definitely there have been cases of identified where there's sex trafficking within the body rub centers, it is definitely not the bulk of our work. Most of the cases that we see what would be from other, would not be coming out of body rub centers (Member of an anti-trafficking organization, Discussion 19, February 8, 2019).

During our discussion they told me that the organization they work with uses the definition of trafficking from the Palermo protocol (Discussion 19, February 8, 2019).

What I consider important in what they said above is that their conception of trafficking stands in contrast to the conceptualizations of trafficking put forth by organizations like CATW, but as I discuss later in this chapter, it is also opposite to the conceptualizations of sex work and trafficking put forth by city officials and other community organizations. In addition, they also acknowledged the dominant conflation of sex work with trafficking, and that while it may happen in BRCs, it is not the main cases of trafficking that their organization deals with.

Further into our conversation they also mentioned that there are some BRCs where there are issues and “where they see a lot of indications of trafficking” which they described as:

...if people don't have freedom of movement, if people don't have access to their documents, if people don't have access to their pay, if people are, you know, their entire lives are connected to their employer in this case. So if they live in and get their groceries from one person, that can be an indicator if they're not permitted to improve their language skills...if they have no understanding of how to navigate the community, even if they have been here for a while.. they're living there, might be kids living there, but they have these large debts that they're meant to be paying off (Member of an anti-trafficking organization, Discussion 19, February 8, 2019)

Although later, they told me that these indications do not necessarily mean that trafficking has occurred (Member of local anti-trafficking organization, Discussion 19, February 8, 2019). They told me: “and I think it's important to note that the indicators are just sort of indicators. They don't necessarily prove trafficking” (Member of local anti-trafficking organization, Discussion 19, February 8, 2019). They also mentioned how BRCs can be safer work locations:

I think, you know, at least, from what we hear from law enforcement partners and other partners, I think that the BRCs are some of the safest places to practice sex work in the city. You know, certainly, it's certainly a lot safer than for example, you know, outdoor sex work, you know street-based sex work or even online where, where there aren't regulations (Member of an anti-trafficking organization, Discussion 19, February 8, 2019).

What is important here and throughout our discussions is that they had a more complex understanding and analysis of trafficking than many of the municipal bureaucrats and city officials that I spoke with. For example, in the quote above they recognize BRCs as some of the “safer” environments for workers to be able to engage in sex work. Furthermore, in contrast to the city officials and municipal bureaucrats that I spoke with, they also

challenged the sensationalized depictions of trafficking often presented in the media.

They told me,

So, we try to talk about how these issues around sex trafficking can be really sensationalized in the media. So, somebody's getting thrown in the trunk of the car and held at gunpoint. It doesn't happen very often, it's more of a grooming process where it starts as a relationship with somebody and then it starts to turn to gifts and then it starts to turn into person either starts to get violent or starts to get manipulative... (Member an anti-trafficking organization, Discussion 19, February 8, 2019).

This conversation revealed that this individual from a local anti-trafficking organization brings a slightly more fulsome perspective to the discussion of sex work and trafficking in the City of Edmonton, even if they did not mention being informed by sex workers' organizations or sex workers themselves about the issue of trafficking.

### **Human Trafficking and the City of Edmonton**

The fear of human trafficking has been a prominent feature over the last few years amongst the work of the City of Edmonton as well as community organizations such as REACH. According to the 2015 report for REACH, "Engaging Community: Addressing Sex Trafficking in Edmonton," the media had reported a number of incidents of sex trafficking in the city (Wilson and McCrae, 2015). This report highlights a longstanding perception of the connection between BRCs and trafficking that has been entrenched in the city. For example, the report states "body rub parlours have been identified as a possible location for sex trafficking in Edmonton..." (Wilson and McCrae, 2015, p. 80). In addition, the report mentions stories of sex trafficking linked with BRCs, such as a case where a BRC owner had placed ads in various Chinese language newspapers recruiting masseuses (Wilson and McCrae, 2015, p. 26).

This community report is not the first time that BRCs have been discursively linked with concerns around trafficking. In a 2012 municipal discussion about the hours of operation for BRCs, the Edmonton Police as well as community advocates argued that the operating hours of BRCs should be curtailed as “abuse (particularly through human trafficking) are known industry problems. The concern is that the ability to operate 24 hours will be used to exploit employees and will exacerbate issues associated with the industry” (City of Edmonton, 2012, p. 2). I have mentioned both exploitation and trafficking because throughout my research, particularly during the Business License Information Session and during conversations with some officials, bureaucrats, and members of community organizations, exploitation was often used in a vague way, but some individuals used it synonymously with the term trafficking. For example, in the BRC Annual update from 2018, human trafficking was described as one aspect of vulnerability and exploitation, which staff should be trained to recognize (City of Edmonton, 2018a). In addition, trafficking was mentioned throughout the *Body Rub Centre Task Force Final Report and Recommendations* (City of Edmonton, 2015). For example, addressing trafficking was one objective of the Task Force and their recommendations. The report states:

ultimately it is the hope of the Task Force that these recommendations will assist the City of Edmonton to ensure through its bylaws, enforcement, and social services that the exploitation of vulnerable people or communities is minimized and that serious social ills like human trafficking are identified and addressed (p. 3)

In the report, it was noted that members of NGOs “expressed concern about the potential for human trafficking and exploitation...” (p. 17). The Task Force Final Report (City of Edmonton, 2015) also made the recommendation that City of Edmonton licensing staff

be trained to “recognize signs of exploitation and vulnerability (including human trafficking) and create guidelines for how to appropriately deal with it” (p. 11). However, the report does not discuss what the Task Force considers to be signs of trafficking or exploitation.

Several individuals that I spoke with revealed how this concern around trafficking shaped how the City viewed the BRC bylaws, and how they understood the objectives of the bylaw. For example, a city official explained that this concern (although not a data driven or evidence-based concern) was one reason the City believed that the licensing system would be beneficial. They told me: “I think the first thing you need to find out is whether or not they’re under, whether they are there voluntarily or not, and the licensing, hopefully will catch that” (city official, Discussion 6, August 24, 2018). They also expressed that the licensing process and the license itself ensures that workers get documents, information, and pamphlets, and that this would help workers know what their rights are (Discussion 6, August 24, 2018). Another individual expressed a similar insight into the uses of the license regime as a means to curtail trafficking, telling me,

the other piece is that there are those who are not in this by choice, and again by allowing this you potentially provide that opportunity for people who have been exploited, who have been trafficked, if they have to go through the licensing program, which requires them to go through a course and learn about all these things, does that help versus again if you didn’t have that in place to those people who’ve been trafficked into Canada are they simply all going to be online, and there’s no control over that? (City official, Discussion 8, August 30, 2018).

Finally, in a discussion with two city officials, they told me that regulating BRC work and permitting BRC work was a way for the city to balance the priorities of a city human trafficking committee and community-based group called the Sexual Exploitation

Working Group (SEWG)<sup>55</sup> (city official, Discussion 10, September 24, 2018). It is important to note that rather than focusing on BRC workers' rights and experiences, these officials felt the need to balance the BRC regulations with the needs and priorities of the SEWG.

The issues of exploitation and trafficking were taken up in diverse and complex ways over the course of my research. For example, one individual from a community-based organization who spent some of their time working very closely and directly with BRC workers had a much more nuanced understanding of exploitation than I expected, one that explicitly engages with labour exploitation. They told me,

I think anytime someone else is getting the majority of the benefit of someone else's work, that could be considered exploitation. And I think it's interesting because I think so much work is exploitative. I mean, if you look at the reason that there are unions that were created or why Marxism was created is because people are like workers, workers are being exploited, and people are benefiting off of the work of other people. Yeah, and I think part of the reason that, like, has continued so much within sex work and maybe been slightly alleviated, or quite alleviated in other lights, we have eight-hour workdays, we have right protected, we have labor laws is because other work is considered legitimate work, and I think by delegitimizing sex work, and by saying that it's not a form of work. And, and it's only exploitative. It has in some ways or many ways been a disservice to people who work in sex work, because like, that's not a road to harm reduction right? (community-based organization, Discussion 12, November 23, 2018)

In addition, one municipal bureaucrat who works closely with BRC workers also brought what I refer to as a more labour-centered view of exploitation within BRC. They told me,

In the BRC, the way it works is the practitioner rents a room from the BRC owner, so a \$60 fee, or whatever it is, the fee is set, and it's not contingent on how much that practitioner makes from each individual session. So, I know sometimes owners try and cross that line with charging more if more services are provided, or, you know, fining if they're late for an appointment, or if they change the thermostat, which again is against the Employment Standards coding..... So, just trying to keep really clear boundaries in terms of, you know, you're renting a

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<sup>55</sup> On their twitter account they describe themselves as a group that "strives to create awareness of the harmful impact that sexual exploitation/ sex trafficking has in our community" (@sewgedmonton).

room, same as an RMT would, same as a hair stylist would rent a chair, that's the same kind of business model that these owners need to stick to (Municipal bureaucrat, Discussion 1, April 24, 2018).

These two individuals both work closely with BRC workers and they both enact aspects of the BRC bylaw. For example, one visits BRCs and works on the BRC policy while the other helps to facilitate the Business License Information Session. Rather than engaging in the morally charged arguments like those taken up by anti-sex work activists typically asserting that sex work is inherently exploitative or violent against women, these individuals focus on the labour of sex work, and the regulations imposed on or not imposed on this type of labour. However, their perspectives are certainly not reflective of all bureaucrats or officials. As I have noted throughout this dissertation, bureaucrats and officials often held differing and at times contradictory understandings and views of BRCs. At the same time, I consider it crucial that some officials have recognized the hyperbolic nature of the morally charged arguments regarding sex work. For example, one city official told me about how contentious the changes had been and about the visceral and emotional reactions that some community members had to the changes to the bylaw, stating,

It was fascinating, really fascinating the whole thing, but it's you know, the city has been accused of pimping, being in a position of pimping these women because, I think that is really hyperbolic, almost moral grandstanding by some probably religious conservatives who are black and white people (City official Discussion 10, September 24, 2018).

Interestingly, even though this city official seems critical of the moral grandstanding that these anti sex-work individuals engaged in, in this same conversation these officials easily slipped into talking about the emotional and evocative issues of cults and sex trafficking while discussing the BRC bylaws (Discussion 10, September 24, 2018).

Individuals' positions on the regulation of BRC sex work and the potential relationship with trafficking was always more complicated than they originally put forth to me and often evolved or changed throughout our discussion. As I mention above, one city official was critical of moral grandstanding, even though in a previous discussion they had admitted that some of their views on sex work were morally based (Discussion 5, June 8, 2018; Discussion 10, September 24, 2018). In fact, one official had even told me: "I'm full of contradictions on this. I will fully admit that again, I have competing values on this" (Discussion 5, June 8, 2018). Many officials and bureaucrats expressed to me that BRC work is considered legitimate; however, as these quotes above illuminate there were contradictory logics and tensions that contributed to how the BRC bylaw was developed and subsequently enacted. For example, despite the fear surrounding the issue of trafficking, one official told me about how the city did not have the data to back up their claims:

We'd heard that it happens, .... but we don't have good data and getting good data would help us with this whole issue. How many women and men are in the sex trade in Edmonton? We don't know, I don't know. How many do it part time? How many are full time? How many of those would be doing it because of poverty, or because of mental illness? Because of addiction? How many of them have children? How many of them are travelling sex trade workers? We don't have that data. And how do you make really good decisions without the data? You make educated guesses. And so we know that trafficking of women is a problem, but how much of a problem is it in the City of Edmonton? I don't know. (City official, Discussion 5, June 8, 2018).

Here the city official admits that the City does not have adequate data to make evidence-based decisions about human trafficking broadly in Edmonton or about human trafficking and sex work, and they don't know the true scope or nature of this perceived issue. Despite this, they still consider trafficking a "problem" and they even told me that "it's like a slave trade" (city official, Discussion 5, June 8, 2018). In addition, they also

reduced sex workers' lived experiences down to the typical tropes that are often employed by both anti-sex work activists and anti-trafficking organizations. Here they relied particularly on the narrative of sex workers as individuals who use drugs, experience poverty, or as people who experience mental health crises. This was particularly disappointing given that this city official had spent a lot of time working on the BRC Task Force and had listened to members of the Task Force talk about their lived experiences in BRCs. Rather than acknowledging that sex workers have varied and complex life experiences like many other workers, this official distilled all BRC workers' experiences down to stereotypes. In fact, this individual had told me that they had been criticized by BRC workers on the Task Force for reproducing these stigmatic tropes (Discussion 5, June 8, 2018).

### **Trafficking and the Business License Information Session**

In addition to the incorporation of trafficking into municipal texts, during the Business License Information Session both municipal bureaucrats and members of a community-based organization spent a considerable amount of time talking about trafficking. First, the bureaucrat who did the presentation at the Business License Information Session mentioned the United Nations, but only described the following:

U.N. Articles 1-6

- d. Free and Equal in dignity and rights
- e. No one should be held in slavery or servitude
- f. No one should be subject to torture...

(PowerPoint, Business License Information Session presentation, October 4, 2018).

This description provides an interesting entryway into how the city discussed trafficking, as they referred to the UN “beliefs” but only mentioned a few and relied on discourses of slavery and torture. Further along, the City described human trafficking as:

**ACT+MEANS+PURPOSE**

**ACT:** any or all of these actions: recruit, transport, transfer, receive, harbour, control.

**MEANS:** any or all of these: Threat, force, fraud, deception, coercion, abuse of power

**PURPOSE:** sexual exploitation, prostitution, sex trade, labour exploitation, domestic servitude, forced gang activity, organ removal

(PowerPoint, Business License Information Session, October 4, 2018).

What is key here is that the information does not explicitly reference the UN Palermo Protocol, and that under “purpose” they list both “prostitution” and “sex trade” within their definition of human trafficking and alongside issues such as labour exploitation and gang activity. Furthermore, in the description of “purpose” the city has created a slightly confusing description of human trafficking given the use of the terms prostitution and sex trade rather than focusing on terms like exploitation or violence. In addition, following Kempadoo et al (2005), this illustrates how the definition of human trafficking has been taken up differently by various organizations and governments and how some definitions have departed from the definition laid out in the Palermo Protocol. In the following paragraphs I continue to explore how the City creates a confusing description and definition of human trafficking.

Furthermore, in a slide from the PowerPoint presentation at the Business License Information Session (October 4, 2018), the city describes a sex trafficking victim as: “may come from another country or from any place in Canada, over 80% are women, most are young, many have limited financial stability, many have not had a chance to gain higher education, and it can happen to anyone” (PowerPoint, Business License

Information Session, October 4, 2018). The City did not provide any research to back up these claims, and relied on assumptions about financial stability, origin, gender, and education of individuals who may be constructed as “victims of trafficking.” Echoing what other scholars have found, my findings demonstrate the institutionalization of the trafficking discourse and a reliance on fear-based narratives in the BRC bylaw in Edmonton rather than evidence-based conclusions (Toupin, 2013; Weitzer, 2007, 2015; Chapkis, 2003).

During the Information Session (October 4, 2018), the information provided often slipped between describing exploitation and trafficking, and the issue of labour exploitation was never fully separated from the issue of sexual exploitation or trafficking. For example, when explaining the City’s conceptualization of sexual exploitation, trading sex for money was within the definition used (Business License Information Session, October 4, 2018). They explicitly defined sexual exploitation for session participants as:

a form of violence and abuse of human rights; use of power and control by one or more persons taking selfish or unfair advantage over other persons for sexual purposes; trading sex for money, drugs, shelter, protection, food, or anything needed for survival when a person sees no other option to support themselves or their families (PowerPoint, Business License Information Session, October 4, 2018).

This quote points to a use of power and control over a person, but it also includes trading sex for money, which espouses a definition of sexual exploitation that is extremely broad and can contribute to the reproduction of the narrative that those experiencing poverty are unable to consent to sex work. This invisibilizes the structural conditions that can contribute to why some people decide to go into sex work and erases the varied lived experiences of workers. For example, one current BRC worker told me that if they were not working in a BRC they would be living on the street (Discussion 16, January 23,

2019). However, they did not describe themselves as exploited, but they did tell me that other professions would not hire them because of their health challenges. They told me: “like, normal job [sic], they don’t hire you if you have like, health problems, because they consider you a liability” (Discussion 16, January 23, 2019).

They also mentioned to me that the financial aid provided by the government, specifically the *Assured Income for the Severely Handicapped*<sup>56</sup>(AISH), does not provide them with enough money to cover their expenses. They told me: “if I didn’t do this job, I wouldn’t, I wouldn’t be able to have my medication when I needed it. I would, you know, be struggling to make ends meet because I would only be getting like \$1600 on AISH, and my rent takes half of that, and then my car payments” (Discussion 16, January 23, 2019). What is important here is that this individual described this as their job, and their statement points to the structural issues with provincial aid that contributed to the challenges they were facing. It is the structural issues of high rent and meager financial aid that were absent throughout the presentation. While the presentation did have information about some social services, the bureaucrats did not acknowledge structural issues such as economic precarity, dwindling provincial social services, or the Criminal Code, and how they can contribute to the violence that sex workers may face. As Bungay and Guta (2018) argue, “the poverty, housing instability, and limited economic power of some sex workers further exacerbate their risk” of violence (p. 393). These structural inequities have particular impacts on migrant workers and indigenous workers (Lam and Gallant, 2018; Hunt, 2013). Lam and Gallant (2018) note that accessing effective social services , is even more difficult for migrant sex workers who may fear deportation or

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<sup>56</sup> AISH is a provincially provided program in Alberta.

arrest. It may even be impossible for migrant workers to access some services. For example, AISH requires that individuals live in Alberta and that they are a Canadian citizen or a permanent resident (Government of Alberta, 2021).

### **The Racialization of the BRC Bylaw**

When reading the BRC bylaw texts, they do not read as necessarily racist and do not appear at first glance to organize work along racial lines. However, this does not mean that there aren't individual officials and bureaucrats who themselves are racist (G. Smith, 1990). As G. Smith (1990) noted in his work, homophobia in the police was not necessarily about the personalities of the officers; instead, it was about how the law organizes homophobia (p. 634). Here I am not interested in claiming that individual officials or bureaucrats are racist, rather I seek to show that the bylaw organizes BRC work along racial lines. Drawing on G. Smith (1990), I demonstrate that a fear of trafficking at the municipal level has contributed to how BRC work is organized, and that the enactment of the BRC bylaw organizes BRC work along racial lines. What my research revealed is that the bylaw and its requirements organized BRC work in such a way that Asian, non-white, and Indigenous workers' labour was organized differently than that of their white peers.

One particularly important aspect of this was the framing of non-white workers as vulnerable. For example, one city official told me: "I think it's, I think one is that the women are working there under duress, you know, the kind of, you know, slave trade that I think it's very, can be very much a part of this business, particularly with foreign workers" (city official, Discussion 6, August 24, 2018). As a result, greater emphasis on the ways in which city officials and bureaucrats spoke about workers from Asia as

“foreign workers” and Indigenous workers produces a hyper-surveillance of these workers that other workers do not face. For example, one municipal bureaucrat who is responsible for the enactment of the BRC bylaw told me that they thought a lot of workers had limited English, and they were concerned that due to language barriers some workers may not fully understand the work and are not able to consent (Discussion 2, May 7, 2018). While consent is essential in all workplaces and workers should access resources about BRCs in the language that best suits them, at the same time this concern was used to legitimize their view that obtaining a license should be harder and that the requirements should be stricter (Municipal bureaucrat, Discussion 2, May 7, 2018). It was not clear whether they felt that the requirements should be stricter for just workers from Asia or all workers whose first language is not English or who speak limited English. However, scholars have shown that making requirements more difficult for sex workers to do their job may only increase the risks that sex workers face and may not address the issue of any potential language barriers noted by this municipal bureaucrat (Lam and Gallant, 2018; Childs et al, 2006). Furthermore, making license requirements more difficult will only add to the barriers that migrant, Indigenous, and non-white workers already face.

In addition to this, one former BRC worker and current volunteer with a community-based organization told me the following about her experience “supporting workers” from Asia in the Business License Information Session:

And I’ve seen it firsthand at the course there’s been women there, and I hate saying this, but mainly Asian women falling asleep in the course. It was a big problem for a long time, they were all nodding off, all of them had been picked up right from the airport... (Former BRC worker and owner, Discussion 3, May 11, 2018).

This story is particularly telling in that it reflected a similar focus on BRC workers who are racialized as non-white. Their comments above were very interesting in the context of our entire discussion together, because throughout our discussion they focused predominantly on stories about women from Asia and Indigenous workers. This is not surprising, given that over the years the human trafficking discourse in Canada has become more concerned with Indigenous women and girls (Hunt, 2013), and women from Asia (Berman, 2003; Kapur, 2005). As my research illustrates, in the context of BRCs in Edmonton the human trafficking discourse is also focused on women from Asia.

This same individual told me their perceptions about Indigenous people:

So, it's like saying, okay, somebody offers will take a reserve rate, and Indigenous reserve, for example, there's a box of Cheerios there for \$11, and there's no work. So, a lot of Indigenous People are lured, women are lured to the city, "Hey come be a hostess at this restaurant, or come work at this hotel." And then all of a sudden, somebody has, you know, taken their ID, has them under control, like "I know where your family lives," you know, pulled from the reserve, "I'm going to send someone there to kill your family," "You know, you're going to give me some money"... And we're seeing it a lot more of it happening from First Nations Reserves, because of just the poverty and how they are luring people down here with false pretences and remove them from the community and any access to money or phone just have them working (Former BRC and owner, Discussion 3, May 11, 2018).

This excerpt from our discussion reveals a conceptualization of all Indigenous workers as the same, as all coming "from the reserve" and experiencing poverty. The stories they told me often had these types of generalizations which were applied to all Indigenous people. This only further erases the diverse and complex experiences of Indigenous sex workers, but also Indigenous women in Alberta. A similar conceptualization was shared with me by a city official, who said,

the body rub bylaws are certainly wrought with tension, you know we can, you know, you can put on a spectrum your views on prostitution, exploitation of other people particularly women, particularly Indigenous women, particularly women

who are vulnerable through, as a result of lifetime of poverty and abuse, sexual abuse. Particularly, so those that is an enormously complicated issue that I think most people would rather just turn a blind eye to very dysfunctional First Nations communities as a result of residential schools and colonialism that's now many, many, many decades deep and young and so a 12 to 13 year old girl who's you know, sort of emerging from that, and in a way that she wants to leave because she's been sexually abused and is vulnerable to coming into larger urban centers and becoming addicted to drugs and before you know it, she's involved in prostitution. How do you peel all that apart is enormously challenging? (City official, Discussion 7, August 29, 2018).

During this discussion, this city official did make the important connection of talking about the ongoing impacts of colonialism and the residential school system in Alberta.

However, they also reproduce the idea of all reserves as dysfunctional and reduce the experiences of Indigenous people and Indigenous women and girls to an image of vulnerability. This illustrates what Hunt (2013) has referred to as the hypervisible and normalized violence, and where it is “assumed to be part of the everydayness of Indigenous spaces” (p. 88). This was a common experience in my discussions with city officials. For example, another official discussed the issue of missing and murdered women in Alberta:

Where and I mean, I what, what's the lesson from the investigation into missing and murdered Aboriginal women, Indigenous women across Canada, is that there was probably the Venn diagram of poor women selling their bodies for, for sex, and missing and murdered women. I suspect that there's a huge overlap there. And so, we want to, again, further evidence of why we want to be mature about this and recognize that our responsibilities are to keep people safe (City official, Discussion 5, June 8, 2018).

This quote again points to the hypervisibility of violence against Indigenous women and the reduction of Indigenous women's experiences down to discourses of victimization (Hunt, 2013). One result of this is that “the voices of indigenous sex workers are obscured by discourses of victimization that, on the surface, aim to draw attention to marginalization and colonial violence, but fail to provide space for Indigenous sex

workers to speak for themselves and define their own struggles” (Hunt, 2013, p. 89).

Hunt (2013) notes that this hypervisibility of Indigenous workers as the racialized victim stands in stark contrast to the invisibility of sex work in Canada. Sayers (2018) has argued that if policymakers are concerned about missing and murdered Indigenous women then they must address the ways in which the criminal regulation of sex work contributes to the marginalization of Indigenous sex trade workers.

The organization of the BRC bylaws around racial lines has not only manifested in the attitudes of individual municipal bureaucrats and city officials who both create and enact the bylaw with regards to trafficking; it has also manifested in tangible components of the bylaw, particularly the Business License Information Session, BRC inspections, and the City of Edmonton AWP policy. The AWP policy is racialized in that it is written with the intent to provide support to those living in Edmonton “of all immigration statuses, including precarious or undocumented status” (City of Edmonton, 2018b). However, as I discuss later in this chapter, this policy creates barriers for migrants with precarious status or who are undocumented and who want to work in BRCs or who already work in BRCs.

### **“Asian Themed”<sup>57</sup> and Translators**

One tangible way in which this manifested in the enactment of the bylaw is in the organization of the translation services provided at the Business License Information Session. For example, one municipal bureaucrat told me about how they thought that at least 50% of the BRCs have strictly “Asian workers,” and that this is one of the reasons

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<sup>57</sup> Municipal bureaucrat, Discussion 2, May 7, 2018.

that the city needs to have the session information translated (Municipal Bureaucrat, Discussion 2, May 7, 2018). What was interesting was the emphasis that this individual placed on non-white workers, especially those who are from Asia. For example, throughout our conversation they continually referred to things related to the BRC bylaw as “Asian themed,” although they did not explain what they meant by that (Municipal bureaucrat, Discussion 2, May 7, 2018). Another individual who works closely with BRC workers associated someone not speaking English with most likely being trafficked. During our discussion they told me,

I mean as far as I can tell you do a good job with it. But there’s only so much that I see. Like, I just see that someone’s attending the session, and they have a computer, and I know that they’re reading the presentation in a language that they’re fluent in....Because as far as I can tell, a lot of the people that have really low English skills have like most likely been trafficked into the country for this work, kind of making a big leap here (community-based organization, Discussion 15, December 4, 2018).

This conversation revealed that this individual makes the assumption that when a worker’s first language is not English this is a sign that they have likely been trafficked. What is telling is that this individual did not consider the myriad of reasons why a worker may prefer a translator or a presentation in a language other than English. While they did acknowledge that they have made a logical leap, they also made no effort to try and rectify this generalization in the link between language spoken and the issue of human trafficking.

In addition, despite the city emphasizing the availability of translation services, it seemed to me that someone could have difficulty accessing information about the BRC license in the language that best meets their needs. For example, the entire City of Edmonton website and the information about the registration for the Business License

Information Course is provided in English. It did not seem to occur to the city officials or municipal bureaucrats that I spoke with, that the BRC bylaw website, including the Business License Information Session, might be completely inaccessible to someone who was not fluent in English (Reflection Notes, October 21, 2018). Anderson et al. (2015) have found that migrant sex workers' ability to navigate indoor-based work environments in a safe(r) manner can be constrained by language barriers, along with other structural barriers including financial insecurity and unfamiliarity with Canadian sex work laws. This gap in the accessibility of the information regarding the BRC license further demonstrates that municipal bureaucrats and city officials are making and enacting BRC policies that are not based in an in-depth understanding of sex workers' diverse lived experiences, and that these policies continue to create barriers for workers whose first language is not English.

### **Inspections**

As discussed in Chapter Four, BRC inspections are a part of the enactment and enforcement of the BRC bylaws, and as I have illustrated, these inspections play a large role in the surveillance of sex workers. In addition to what I described in Chapter Five, the Business License Information Session illuminated the explicit connection made between the inspections of BRC and human trafficking by municipal bureaucrats (October 4, 2018). For example, when discussing what to expect during BRC inspections, municipal bureaucrats told license information session participants that the inspectors with the Human Trafficking and Exploitation Unit (formerly known as the Vice unit, a part of the Edmonton Police Service): “offer support and assistance if and when needed, receive reports of harassment, violence or incidents of exploitation related specifically to

the sex industry, identify traffickers and exploiters and to hold them accountable” (PowerPoint from the Business License Information Session, October 4, 2018). They also provide participants with the names and information for the staff sergeants and detectives in the Human Trafficking and Exploitation Unit (PowerPoint, Business License Information Session, October 4, 2018).

One former practitioner described their experience with the human trafficking unit and bylaw during inspections. They told me about how the unit would come around with the bylaw enforcement officers: “like, they just, they can come around every so often and check on the studios and stuff like that, and they would the odd time whenever I worked years ago, as well they’ve come around with the bylaw enforcement team, basically to be almost glorified security for them” (Former worker and owner, Discussion 3, May 11, 2018). This former BRC worker was extremely critical of the city’s new bylaws and the licensing process, and they also talked about how even when workers experience violence, the human trafficking unit and bylaw didn’t really do anything about it (Former BRC worker and owner, June 4, 2018). They told me,

But you know again what could they do? They will be like, “Have you had any bad guys?” and I say, “Like, I just had a guy who took off a condom, ejaculated inside me, and choked me and bit me.” And they’d be like, “Oh do you have any information?” I’m like, “No that was just a walk in.” And they would be like, “Ok well let us know if you see him again.” (Former BRC worker and owner, Discussion 3, May 11, 2018).

While this former worker did tell me that they felt that the city was binding the hands of law enforcement, and advocated throughout our discussion for greater and stricter regulation of sex work, if not the complete prohibition of it, their story caused me to pause and think, if the bylaw inspections and human trafficking unit are not really helpful when workers experience violence, then what are they useful for? Here I return to my

argument that the enactment of the bylaw contributes to the surveillance of BRC workers, but also creates a form of carceral harm reduction that is distant from the activist origins of harm reduction and demonstrates how harm reduction can be co-opted and misappropriated. This form of harm reduction is one that relies on law enforcement and carceral logics. Given the role of police and the human trafficking unit in BRC inspections, it is possible that migrant workers could face severe consequences for working in a BRC. For example, Lam and Gallant (2018) have noted that the Canadian government, through the Immigration and Refugee Protection Regulations (Government of Canada, 2017), does not allow for migrant workers to engage in sex work, even in legalized arenas such as strip clubs and BRCs. They have found that police engage in “workplace raids” focused on where migrant workers may be and detain individuals who do not have citizenship status and deport them (Butterfly, 2016; Hempstead, 2015).

Unlike some other individuals that I spoke with who had a firm stance about the connection between human trafficking and BRCs, one individual told me about the differing ways that people understand the human trafficking unit. They discussed how the work of the Human Trafficking Unit has been seen as harm reduction through violence prevention, but also as something that can create barriers for some workers. They said,

So, I've heard that like Vice, or now HDD. Human trafficking and exploitation are just, like, sensitive and competent around these issues. So, they understand what they're doing as violence prevention and harm reduction as well. They're not just trying to shake down sex workers and like hit them with a ton of fines, right? So, it seemed like they're anti-exploitation, rather than a part of that exploitation. So that's what I've heard. And then I've heard from other people, that these are still part of the exploitation, or just like another barrier (community-based organization, Discussion 15, December 14, 2018)

Here this individual presents two contrasting views that exist within the city regarding the human trafficking unit and the impacts on workers. Unlike some other city officials or

bureaucrats, this individual presented a slightly more nuanced understanding of the various ways in which different municipal actors understand the role of the human trafficking unit. In part, this illustrates how “harm reduction” is taken up by city officials, bureaucrats, and members of community-based organizations to justify law enforcement within the BRC and connected to concerns of human trafficking. Furthermore, carceral logics are also present in the City of Edmonton *Access Without Fear* policy, extending the carceral harm reduction discourse into this policy, which is the focus of the next section.

### **Access Without Fear (AWF)**

The City of Edmonton supports the ability of all Edmontonians to access municipal services and programs without fear, regardless of their documentation, immigration, or citizenship status (City of Edmonton, *Access Without Fear*, 2018b, p. 1).

This is a short excerpt from the City of Edmonton *Access Without Fear Policy Statement*, which was passed by the City in 2018 (City of Edmonton, 2018b). According to news reports, this issue originally arose in 2017 due to concerns related to changes the Federal Conservative government made to the Temporary Foreign Worker Visas (Stolte, 2017b), see also Stolte, 2018). Given the four-year cap on the visa introduced by the conservative government, in 2015 visas were being denied, and members of Migrante Alberta<sup>58</sup> have reported that as a result, children born in Edmonton could no longer access education and parents were scared to access the library or to obtain transit passes (Stolte, 2017b), see also Stolte, 2018). As Jeffries and Ridgley (2020) have pointed out, cities across Canada,

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<sup>58</sup> Migrante Alberta is a “non-profit advocacy and self-help organization.” In Alberta, the organization addresses the issues that migrants face, they provide support through referrals, and they also campaign for migrant rights. They are associated with Migrante Canada ([migrantealberta.ca/who-are-we](http://migrantealberta.ca/who-are-we)).

including Montreal, Toronto, Vancouver, and Edmonton, started taking up Don't Ask Don't Tell (DADT) or Access Without Fear policies in 2000. Many were inspired by the municipal policies that arose in the 1980s in the United States in response to the people who had been fleeing the war in Guatemala and El Salvador (Jeffries and Ridgley, 2020). While these scholars place DADT and Access Without Fear under a broad umbrella of sanctuary city campaigns, the City of Edmonton, as I discuss below, made a strong distinction between a sanctuary city and the AWF policy.

I draw on Paik's (2017) analysis of the sanctuary movement in the U.S as based in a liberal framework that reinforces carceral discourses that rely on or heed to law enforcement. Paik (2017) notes that "many local sanctuary policies also emphasize law abiding immigrants and exclude those even alleged to have committed a felony" (par. 26). Furthermore, the liberal democratic underpinnings of some of the movements reproduce a discourse of "good" and "deserving" immigrants and others as "underserving," specifically those who are not law abiding (Paik, 2017). I draw on this analysis to demonstrate how the Edmonton policy follows a similar carceral logic in that migrant sex workers' experiences are invisibilized and excluded, and thereby the intersection of these regulations is an additional barrier on top of the criminalization these workers already face (Lam and Gallant, 2018). Here I argue that the intersection of the *Access Without Fear* policy and BRCs (as discussed below) is another component of what I have referred to as the City's carceral harm reduction logic. Expanding on Paik (2017) I argue that not only must the discussions regarding sanctuary cities and AWF policies acknowledge any reliance on law enforcement and the impacts this could have on immigrants and in particular migrant sex workers, but they must also address how

these policies may be connected to or increase the criminalization of sex workers (Lam 2016; Lam and Gallant, 2018). My work illustrates how the municipal BRC bylaw is impacted by the Criminal Code as well as federal immigration policies, and that discussions regarding sanctuary city policies and AWF policies must also include discussions about decriminalization of sex work in Canada. As Lam and Gallant (2018) note, the sex workers' rights movement and the migrant justice movement have rarely worked together in Canada.

According to one city official who was a prominent figure in the introduction of the Edmonton AWF policy, the city acknowledges that Canadian immigration processes can be extremely difficult and onerous on the individuals (Discussion 10, September 24, 2018). For example, they told me that: "We do definitely have issues with immigration, we definitely have issues with documentation, but it is not because people came here illegally, it's because we had a process that is you know, we have brought in temporary foreign workers" (city official, Discussion 10, September 24, 2018). As a result, the city has opted to ensure that those with "precarious or undocumented status" can still access municipal services such as community centers or bus passes (city official, Discussion 10, September 24, 2018; City of Edmonton, 2018). AWF was described by one city official as: "...A non-law enforcement initiative that evaluates how many municipal services you can access without a government issued ID..." (city official Discussion 10, September 24, 2018). One city official very specifically noted that AWF is different from the US Sanctuary City movement, because the city policy does not change the relationship between the local law enforcement and the Canadian customs and immigration enforcement (Discussion 10, September 24, 2018).

As I dug deeper into the policy, I found that the AWF policy shapes who can and cannot work legally within a BRC, and that this has been influenced by the fear of trafficking. For example, during our conversation about *Access Without Fear*, one city official told me,

So, what I was going to say is *Access Without Fear*, one of the sort of key points with it, is that they weren't going to make any changes to the policy around body rub. And it was in direct conversations with the concerns about human trafficking and sexual exploitation, that that this is an area where you did not want people to be working with your permission or without ID (City official, Discussion 10, September 24, 2018).

Further on into our conversation, they added that as a city they had decided that someone “should not be able to get a body rub license without government issued ID, because we don't want to encourage human trafficking” (Discussion 10, September 24, 2018). This is similar to what occurred in 2012 when the Canadian government ended the exemption under the Temporary Foreign Worker Program which allowed for migrants to legally work in exotic dance workplaces (Lam and Gallant, 2018). When the Canadian government ended the program, they cited concerns of exploitation in these workplaces. However, the government never provided any evidence that trafficking among migrants who worked in exotic dance venues was occurring (Lam and Gallant, 2018).

The AWF policy states that “Edmonton is a city that seeks to promote the participation and integration of all who live here...The City of Edmonton acknowledges that immigrants come to the city through a variety of ways and that all who reside in Edmonton contribute to our economic, social, and cultural fabric” (City of Edmonton, 2018b). Here the intention appears to be to foster diversity and to ensure that all those living in Edmonton can contribute socially and economically. However, in practice, this policy ensures that migrants with precarious immigration status cannot work in BRCs,

even though this may be somewhere they would prefer to work. As a result, the economic contribution of migrant BRC sex workers is excluded, and migrant sex workers are conceptualized only as vulnerable to trafficking. Despite the intention to be inclusive, based on the discussion that I had, policymakers did not take into consideration the diverse experiences of migrants who may be working as sex workers, nor did they ensure that their experiences are addressed through the AWF policy. For example, one city official I spoke with did not acknowledge that there may be individuals with precarious immigration status who wish to work in BRCs or that there are already migrant workers with precarious immigration status working in BRCs (Discussion 10, September 24, 2018). The City did not appear to consider that restricting migrants' ability to obtain a license due to the AWF policy will not necessarily stop migrants with precarious immigration status from working in BRCs, as they may choose to work in a BRC without a license. This policy reproduces the harmful conflation of sex work and trafficking, and only allows for some people to be seen as workers. Those with BRC licenses are engaging in "legitimate work," while migrant workers without immigration status are excluded and cannot gain access to the "legitimate" BRC labour market (Deighan, 2010). Drawing on Lam and Gallant (2018), the exclusion of migrant sex workers from access to the BRC license due to the AWF policy can compound the marginalization and stigmatization that migrant sex workers already face.

In this chapter I have explored the ways in which the fear of trafficking has shaped the creation of the BRC bylaw and subsequently how the bylaw is enacted, particularly the potential impacts on migrant workers, workers racialized as non-white, and Indigenous BRC workers' everyday lives and work. I have argued that the fear of

trafficking has led to the organizing of the BRC along racial lines, and that this has led to the simultaneous hyper-surveillance of migrant, racialized, and Indigenous workers as victims of trafficking, and their invisibilisation as workers. This simultaneous hyper-surveillance and invisibilization illuminates how the harm reduction discourse has been used by the municipality in a manner that does not reduce the barriers that migrant, racialized and Indigenous workers face. Rather, the way in which harm reduction has been mobilized in connection with a fear of trafficking continues to position migrant and Indigenous sex workers as outside of communities and the labour force (Ross, 2010; Lowman, 2000).

## **Conclusion**

### **Re-Imagining Harm Reduction and Sex Work in Edmonton**

“I subscribe completely to the notion of harm reduction” (City official, Discussion 10, September 24, 2018)

Throughout this dissertation I have explored the changes to the BRC bylaw that were introduced by the City of Edmonton in 2015 through the Body Rub Centre Task Force and the Task Force Implementation Team. I have shown that BRC work is organized and shaped by the municipal bylaw, and that the bylaw intersects with and has been shaped by other extra-local relations, specifically the provincial OH&S and the ESC and the federal Criminal Code. As my research unfolded, through conversations with city officials and bureaucrats and through textual analysis of municipal documents, I noticed that harm reduction was a pivotal component of the bylaw changes, and that harm reduction was woven throughout as an overarching objective in various aspects of the bylaw.

The above quote highlights how harm reduction was taken up by some city officials and alludes to the important role that the City conception of harm reduction played within the changes to the BRC bylaw. This comment is from a discussion with a city official that stuck with me throughout the dissertation writing and research process. This individual was very involved in the process of amending the BRC bylaw and was considered by some as an “expert” amongst city officials on this policy issue. The comment reveals the enthusiasm and dedication that this official had for what they considered to be harm reduction with regards to BRCs. Throughout this dissertation, I have examined how harm reduction was central to many of the conversations that I had with municipal bureaucrats and city officials. The objective to have the changes to the BRC bylaw grounded in and to create harm reduction materialized in the organization of

BRC work through not only a discourse of harm reduction, but also within the tangible requirements of the amended BRC bylaw and the varying ways that the new bylaw is enacted.

I have argued that the discourse of harm reduction used by city officials and bureaucrats is a co-opted and misappropriated form of harm reduction that is distant from the politicized origins in the LGBTQ community of the harm reduction movement from the early 1980s (Smith, 2012). My work is not intended to invisibilize or erase the important work that harm reduction activists have done over the last several decades, including the important work that has been done around safe consumption sites. As someone who has engaged in harm reduction activism by advocating for safe consumption sites in Ottawa, I consider the work that has been done by those activists and the community to be essential to creating a better world and safer communities. However, as C. Smith (2012) has highlighted, harm reduction has become depoliticized and institutionalized within the realm of public health. My work illustrates how important it is to critically analyze and investigate how harm reduction has shaped indoor-based sex work, and in the case of Edmonton, how harm reduction has shaped BRC work.

Furthermore, I have argued that parallels can be drawn between Bernstein's (2010) analysis of carceral feminism to the way that harm reduction has been used to shape the BRC bylaw and in how the bylaw is enacted. How the discourse of harm reduction has been taken up and co-opted in the regulation of BRC work in Edmonton has created an extension of carceral politics in three ways: first, in Chapter Five I have shown how despite the intent of the city to use a harm reduction lens, aspects of the enactment of the BRC bylaw such as the license requirements for BRC workers and

owners, police checks, and the use of BRC inspections contributes to a bureaucratic surveillance of sex workers. This bureaucratic surveillance occurs in both subvert and overt forms in the regulation of BRCs. Second, in Chapter Six I have made visible how some elements of the BRC bylaw, specifically the Business License Information Session, reproduce the conception of sex work as inherently or always violent. As a result of this conception, sex workers are framed as victims, which is reinforced through discourses of health and safety. Finally, in Chapter Seven I documented a third way in which harm reduction has been co-opted by the city, focussing on how anti-trafficking sentiments shaped the BRC bylaw, the impacts that this has on BRC workers, and how it fits within the City's broader objective of harm reduction.

Throughout the dissertation I have also discussed how law enforcement continues to be woven into the fabric and enactment of the bylaw, which contributes to the ongoing criminalization of sex workers. This critique can further discussions within the harm reduction activist community, especially with how harm reduction is applied to sex work policy, and the role that harm reduction can or should play in the regulation of sex work. My work expands on existing critique of harm reduction (see Smith 2012; Roe 2005) and illustrates how city officials and bureaucrats have co-opted and misappropriated the discourse of harm reduction. Furthermore, how this is applied to BRC work is in opposition to the political roots and activist roots of the harm reduction movement. My work demonstrates how the harm reduction approach of the City of Edmonton with the bylaw shapes BRC work, particularly how the bylaw surveils and hyper-regulates BRC workers, frames them as simultaneously at risk and risky and reproduces the stigmatization of these workers (Khan, 2018; Redwood, 2018; Ross, 2010, Ross and

Sullivan, 2012; Wright et al, 2015). This extends the carceral logics of the Criminal Code into the bylaw and how it is enacted, which creates carceral harm reduction.

### **Contributions**

The scholarly body of sex work research is extensive; in this dissertation I have been able to build on the important work of scholars such as: Ross (2010), Lowman (2000), Lam (2016, 2019), Sawyers (2018), Bruckert (2002), and Bruckert and Hannem (2013), along with others. Drawing on this body of work, this dissertation contributes to the field of sex work research in three ways. First, I have built on the substantive research on the impact of the Criminal Code on sex workers (for example, Sawyers 2018; Bruckert and Dufresne 2002) by deepening our understanding of how the municipal regulation of sex work through bylaws is connected to both provincial legislation and the federal Criminal Code. I have also made visible the challenges that the provincial *Employment Standards Code* (2018) and the *Occupational Health and Safety Act* (2018) pose to the municipal regulation of BRC sex work. My work highlights how despite the intent of these two pieces of legislation to support or help workers in Alberta, that for BRC workers these pieces of legislation may pose risks or act as a double-edged sword. The BRC bylaw is not only connected to these ruling relations but has also been intimately shaped by the ESC (2018) and OH&S (2018). Furthermore, by exploring this my work shows that provincial legislation, specifically the ESC (2018) and OH&S (2018), does overtly criminalize workers as does the Criminal Code, but these pieces of legislation can also create an additional set of bureaucratic regulations that sex workers must navigate (Bruckert and Parent, 2014). In addition, my work has illustrated how OH&S inspection can have negative implications for BRC workers and could even lead to the closure of

certain BRCs as worksites. I have argued that this contributes to the carceral nature of the bylaw.

Second, in this research I was able to gain significant insight into how the BRC bylaw was created, but also how it was enacted. During my research I primarily talked to city officials who created the bylaw, and municipal bureaucrats who both help write the policy for the bylaw and enact the bylaw. The enactment of the bylaw comprised various everyday labour which included things like running the Business License Information Session, checking in on BRC workers, working with the bureaucrats to make amendments to the bylaw, and leading or working with police to do BRC inspections. I also spoke with some BRC workers, and one owner and sex work advocate. By talking to city officials and bureaucrats I was able to gain insight into how these officials understand how the bylaw was intended to work, and how there may be a disjuncture between the intent and how the bylaw functions in the day-to-day. Inspired by the work of IE scholars such as Diamond (1992), Nichols (2014), and D. Smith (1987, 2005) I explored how the everyday work of BRC workers was shaped by the work of bureaucrats and officials in both the creation and enactment of the BRC bylaw. While there is a lot of significant scholarly research that has centered on sex workers, there are relatively few studies that have intimately focused on the work of municipal officials and bureaucrats in the development of sex work regulation. A significant amount of research has focused on interviews with sex workers, which is extremely important. My approach has allowed me to critically analyze and illustrate the officials and bureaucrats' intentions when creating the bylaw, as well as to expose the intimate workings of the bylaw.

Third, there is an expansive field of research on sex work in Canada, and there has been important work done on the regulation of sex work in larger metropolitan areas such as Ottawa (for example, Bruckert and Hannem, 2013), Vancouver (for example, Ross 2010 and Anderson et al, 2015), and Montreal (for example, Crago and Clamen, 2013). However, fewer studies have looked at the prairie provinces, in particular Alberta. This project expands on this expansive body of research by providing an in-depth exploration of the regulation of one particular indoor-based sex work location in the prairie region of Canada. While Edmonton may not be as large as cities such as Montreal, this research provides critical insight into the regulation of BRC work in a smaller, western prairie province.

In addition to the contributions to the sex work scholarship, this project contributes to the growing body of research and literature on harm reduction activism and the inclusion of harm reduction in policy approaches. Activists have played an important role in developing the harm reduction movement, and in creating important structural change such as in the 1980s when activists and frontline workers distributed syringes (Smith, 2012). In addition, harm reduction activists have done important work to push municipalities to introduce overdose prevention solutions. For example, Overdose Prevention Ottawa has noted that several overdose prevention sites have been created in several cities including Toronto and Vancouver without formal approval (Overdose Prevention Ottawa, n.d.). My work can help activists by pointing to how the bureaucratic actors and policymakers have co-opted their language and misappropriated the harm reduction approach. My work also demonstrates how harm reduction has been used to justify the regulation of sex workers, and how it has been used in concert with law

enforcement mechanisms. This points to new avenues for activists and sex worker organizations to confront when working with municipal policymakers.

Finally, by using some aspects of IE to explore the organization of BRC work, my research can contribute to the extensive field of everyday work that IE scholars explore. My work contributes to the work of scholars such as Doll and Walby (2019) and Lam (2019) who have used IE to explore issues within criminal justice and social-legal studies, a field that has received less attention from scholars who use IE. Many scholars have used IE to explore the organization of various forms of work within institutions, and how these forms of work are coordinated by texts such as the everyday work of healthcare workers (see Diamond, 1992), social workers (see Nichols, 2014), and educational workers (see Restoule et al, 2013). While guided by IE I adapted the approach to the context of BRC work, which is organized by institutions such as the bylaw, OH&S, and the Criminal Code, but is not located within institutions. Furthermore, I contribute to the dominant approach of IE in my work by expanding the use of texts to include activist texts and texts produced by sex workers.

### **Limitations of the Research**

I consider there to be two primary limitations to my research. The first is that, in part because of my focus on municipal bureaucrats and city officials, I was only able to speak to three current BRC workers, one former BRC worker, and one BRC owner (who also happens to be a worker) and advocate. These workers provided essential descriptions of how they go about their everyday work at the BRC and how government regulations impact their personal lives and work. Talking to more workers could have provided a more in-depth view of how BRC workers feel about the bylaw changes, and what other

issues pose challenges for them in the workplace. In addition, I was not able to speak with many BRC owners. While I had some initial conversations with one owner, they chose not to do a formal interview/discussion, and I was not able to get in touch with any others. This could have been because the changes to the bylaw have been considered by some Edmontonians as controversial, and owners may have been concerned about the stigma that BRCs face and would not want to be stigmatized. They may have also been concerned with the current legal status and the ambiguity surrounding BRCs and the Criminal Code and could have been concerned that they could face sanctions.

Second, I was focused on the organizing of BRC workers' labour and chose not to speak with clients. However, after reflecting on one discussion where we talked about the role of the John School in Edmonton, I think that having their perspective could have provided a more fulsome picture of how the bylaw organizes BRC work. Even though I was able to ask BRC workers about their experiences with clients given the changes to the bylaw, I was not able to hear directly from clients about their experiences.

### **Areas for Future Research**

As I noted above, one limitation of this research is the exploration of BRC clients' experiences. During one conversation I had with a member of a community-based organization, I learned that Edmonton currently uses "John Schools." In future research I would like to expand on this project by exploring how "John Schools" are run in Edmonton, what the content of them is and how this is delivered to clients, but also how this contributes to the ongoing criminalization and stigmatization of clients. I think this work being done in Edmonton could be particularly important given the impacts of PCEPA (2014) on clients. As Khan (2018) notes, PCEPA criminalizes the purchase of

sexual services and this criminalization works in conjuncture with an anti-prostitution discourse that has “constructed the man who buys sex as a veritable sexual deviant—a danger to women and to society in general” (p. 73). Building off the work I did in Chapter Three which revealed how the regulation of BRCs sits in tension with the Criminal Code, I would explore how BRC clients experience criminalization and stigmatization, and how the “John School” may contribute to this. Khan (2015b) has explored the dynamics of “John Schools” and found that they constitute a form of social control practices, and surveillance of clients. I hope to expand on this work, by looking at how the regulation of sex work in Edmonton through the John Schools contributes to the surveillance of sex workers by surveilling sex workers’ clients.

### **Policy Recommendations for BRC Regulations**

Despite the limitations of the project, I was able to gain insight into how the municipal bylaw shapes the organization of BRC work, and what the implications may be for BRC workers in the City. As the research progressed, disjuncture between the bylaw and the enactment of the bylaw and BRC workers or sex workers’ experiences were revealed. In addition to the texts used for this project, throughout my research I also engaged with resources created by sex worker support organizations, and I considered what BRC workers had told me. As such, there are four main policy recommendations that I would make to the City of Edmonton should they ever consider amending the bylaw.

- i. First, I would recommend that the City reach out to sex workers’ organizations across the country to ask them for input into the development of the content and delivery of the Business License Information Session. As I discussed throughout this dissertation, I considered this Session a significant aspect in acquiring the BRC Practitioner

License, and the Information Session provides extensive information about a variety of topics. However, there are many sex workers' organizations who have content that has been developed based on sex workers' experiences. For example, the Information Session provides tax information, and PACE—a by sex worker for sex worker organization based in Vancouver—offers a tax workshop for sex workers. In addition, many sex workers often have extensive knowledge of sexual health information and could provide more workplace-specific tips for new workers. As Redwood (2018) has argued sex workers have valuable information and insight about sexual health and sexual health information. Finally, sex workers organizations often keep “bad date” lists and have significant insight into some of the best ways to talk to sex workers about safety.

- ii. Secondly, I would invite the municipality to critically investigate how harm reduction is being used by city officials and bureaucrats, and work with local and national harm reduction organizations to develop a comprehensive analysis of harm reduction. This should be used to develop a comprehensive definition of harm reduction in the municipal bureaucracy. I would also advocate that they reach out to sex worker advocacy organizations such as POWER, Stella's, and Butterfly to learn about why some sex workers do not apply the harm reduction discourse to sex work or to learn about how some sex workers' groups understand harm reduction. For example, researchers Santini and Klein worked with members of Stella's in Montreal and Butterfly Migrant Sex Worker Support Network (2020) to create a comprehensive reflection on the application of harm reduction to sex work.

- iii. Third, I would advocate that the city work with organizations such as Vancouver's SWAN, which works with migrant sex workers to discuss how to learn about the barriers that migrant sex workers face, and to make the Access Without Fear policy supportive of all individuals who want to work in a BRC.
- iv. Finally, I return to the comments that BRC workers made about the impacts that the Criminal Code continues to have on them. Municipal bureaucrats and city officials should explore how to take a stand against the criminalization of sex work and advocate for the full decriminalization of sex work in Canada. If the city is truly concerned about sex workers' health and safety, they must explore how they can advocate for changes to the federal criminal code. As Anderson et al. (2016) have noted "criminalization and enforcement-based approaches targeting sex workers negatively impact sex workers health, safety and human rights" (p. 2).

### **The Future of BRCs in Edmonton**

During the writing of this dissertation, City Council voted in favour of a motion to review the potential implementation of a five-year exit strategy to end the licensing of BRCs (Labine, 2019). Recently, consultants recommended that the city continue with the licensing regime (Cook, 2020). However, as of September 25, 2020, a final decision has not been made by city officials, and as such the system could undergo another substantial change (Cook, 2020). It was reported that one city official was keen to phase out BRCs, but that they were waiting for the provincial government to provide information on human trafficking (Cook, 2020). This situation highlights how, despite how long the bylaw regime has been in play and no matter how many workers and owners follow the regulations, this issue remains contentious for the City of Edmonton. It is possible that

future changes could have negative impacts on BRC workers. I hope in any future discussions regarding the BRC bylaw that the city engages extensively with current and former BRC workers, owners, and sex work advocates and organizations from across the country. I hope that BRC workers and sex worker organizations can be seen as experts with valuable insights and knowledge about their work. These individuals have the greatest insight regarding how bylaws, provincial legislation, and the Criminal Code impact them at work and in their personal lives.

## References

- Abel, G., Fitzgerald, L., Healy, C., and Taylor, A. (2010). *Taking the Crime out of sex work: New Zealand Sex Worker's fight for decriminalization*. Bristol: Policy Press.
- Agustin, L. (2007). *Sex at the Margins: Migration, labour markets and the rescue industry*. Zed Books.
- Agustin, L. (2006). The disappearing of a migration category: migrants who sell sex. *Journal of Ethnic and Migration Studies*, 29-47.
- Agustin, L. (2005). Migrants in the mistress's house: other voices in the "trafficking" debate. *Social politics: International Studies in Gender, State, and Society*, 12 (1), 96-117.
- Ahmed, S. (2017). *Living a feminist life*. Durham: Duke University Press.
- Alberta Health Services. (2021). *Restaurant Inspections*.  
<https://www.albertahealthservices.ca/eph/page3149.aspx>
- Anderson, S., Jia, J. X., Liu, V., Chatter, J., Krüsi, A., Allan, S., and Shannon, K. (2015). Violence prevention and municipal licensing of indoor sex work venues in the Greater Vancouver Area: narratives of migrant sex workers, managers and business owners. *Culture, health and sexuality*, 17(7), 825-841.
- Anderson, S., Shannon, K., Li, J., Lee, Y., Chettiar, J., Goldenberg, S., and Krusi, A. (2016). "Condoms and sexual health education as evidence: impact of criminalization of in-call venues and managers on migrant sex workers access to HIV/STI prevention in Canadian setting." *BMC International Health and Human Rights*, 16 (1).
- Argento, E., Duff, P., Bingham, B., Chapman, J., Nguyen, P (2016). Social cohesion among sex workers and client condom refusal in a Canadian setting: implications for structural and community led interventions. *AIDS Behaviour*, 1275-1283.
- Backhouse, C. (1991). *Petticoats and Prejudice: women and law in Nineteenth Century Canada*. Women's Press.
- Backhouse, C. (1985). Nineteenth-century Canadian prostitution law: Reflection of a discriminatory society. *Social History/Histoire Sociale*, 18(36), 387-423.
- Bedford, Terri-Jean. (2021) Retrieved from: <https://www.terrijeanbedford.com/>
- Belak, B., and Bennett, D. (2016). *Evaluating Canada's Sex Work Laws: The Case for Repeal*. Vancouver: Pivot Legal Society.
- Bennett, D., and Larkin, D. (2019). *Project Inclusion: Confronting Anti-Homeless and Anti-Substance User Stigma in British Columbia*. Pivot Legal. Vancouver: Pivot Legal.
- Benoit, C, Ouellet, N., and Jansson, M. (2016). Unmet health care needs among sex workers in five census metropolitan areas of Canada. *Revue Canadienne de Santé Publique*, 266-271.
- Benoit, C., Belle-Isle, L., and Smith, M (2017). Sex workers as peer health advocates: community empowerment and transformative learning through a Canadian pilot program. *International Journal for Equity in Health*, 1-16.
- Berliet, M. (2017, April 14). *Your Dominatrix is so Bored by '50 Shades'*. Retrieved from Daily Beast: <https://www.thedailybeast.com/your-dominatrix-is-so-bored-by-50-shades?source=twitterandvia=desktop>

- Bernstein, E. (2010). Militarized humanitarianism meets carceral feminism: the politics of sex, rights, and freedom in contemporary anti-trafficking campaigns. *Signs*, 45-71.
- Bernstein, E. (2007). *Temporarily yours: Intimacy, authenticity, and the commerce of sex*. University of Chicago Press.
- Berman, J. (2003). (Un)popular strangers and crises (Un)bounded: Discourse of sex trafficking, the European Political Community and the Panicked State of the Modern State. *European Journal of International Relations*, 9(1), 37-86.
- Bisaillon, L. (2012). An analytic glossary to social inquiry using institutional and political activist ethnography. *International Journal of Qualitative Methods*, 607-627.
- Blewett, K., LaVecchia, C., Micciche, L., and Morris, J. (2019, March). Editing as I inclusion activism. *College English*, 81(4), 273-296.
- Boyer, Y. (2009). First Nation's women's contributions to culture and community through Canadian Law. In G. Guthrie, M. Valaskakis, D. Stout, and E. Guimond, *Restoring the balance: First Nations women, community, and culture* (pp. 69-96). Winnipeg: University of Manitoba Press.
- Brock, D. R. (2009). *Making Work, Making trouble: the social regulation of sexual labour*. Toronto: University of Toronto Press.
- Brock, D. (1998). *Making Work, Making Trouble: Prostitution as a Social Problem*. Toronto: University of Toronto Press.
- Brock, D., Gillies, K., Oliver, C., and Sutdhibhasilp, M. (2000). Migrant sex work: a roundtable analysis. *Canadian Women Studies*, 20(2).
- Browne, R. (2015, June 19). *RCMP suspect serial killer after woman's remains found in Alberta*. <https://www.vice.com/en/article/dp53wk/rcmp-suspect-serial-killer-after-womans-remains-found-in-alberta>
- Bruckert, C. (2012). The mark of disreputable labor: working it: sex workers negotiate stigma. In Hannem, S., and Bruckert, C. (Eds). *Stigma Revisited: Implications of the Mark*. (pp. 55-78). Ottawa: University of Ottawa Press.
- Bruckert, C. (2002). *Taking it off, putting it on: Women in the strip trade*. Toronto, ON: Women's Press.
- Bruckert, C., and Chabot, F. (2010). *Challenges: Ottawa area sex workers speak out*. Ottawa: POWER.
- Bruckert, C., and Dufresne, M. (2002). Re-configuring the margins: tracing the regulatory context of Ottawa Strip Clubs. *Canadian Journal of Law and Society*, 17(1), 69-87.
- Bruckert, C., and Hannem, S. (2013). To serve and protect? Structural stigma, social profiling, and the abuse of police power in Ottawa. In van der Meulen, E. Durisin, E and Love, V. (Eds) *Selling Sex: Experience, Advocacy, and Research on Sex Work in Canada* (pp. 297-314). Vancouver: UBC Press.
- Bruckert, C. and Law, T. (2013). *Beyond pimps, procurers, and parasites: Management in the Incall/Outcall sex industry*. Ottawa: Management Project.
- Bruckert, C., and Parent, C. (2014). The incall sex industry: gender, class, and racialized labour in the margins. In G. Balfour (Ed.), *Criminalizing Women: Gender and (In)justice in Neo-liberal times* (pp. 92-107). Winnipeg: Fernwood.

- Bruckert, C. and Parent, C. (2018). (Eds). *Getting past 'the Pimp'*. Toronto: University of Toronto Press.
- Bungay, V., and Guta, A. (2018). Strategies and challenges in preventing violence against Canadian indoor sex workers. *AJPH Research*, 393-398.
- Burawoy, M. (2005). For public sociology. *American Sociological Review*, 70(1), 4-28.
- Burke, M.C and Bernstein, M. (2014). How the right usurped the Queer agenda: Frame co-optation in political discourse. *Sociological Forum*, 29 (4), 830-850.
- Butterfly (Asian and Migrant Sex Workers Support Network). (2016). *Stop the harm from anti-trafficking-policies and campaigns: Support sex workers' rights, justice, and dignity*. <http://www.butterfly.org/harm-of-anti-trafficking-campaign->
- Campbell, M. G. (2008). *Mapping Social relations: a primer in ding institutional ethnography*. Toronto: University of Toronto Press.
- Canadian Federation of Students, O. (n.d.). *Campus Toolkit for Creating Consent Culture*. <https://cfsontario.ca/wp-content/uploads/2017/07/Consent-Toolkit.pdf>
- Canadian Alliance for Sex Work Law Reform (2021). NEWS!! Sex worker human rights groups launch constitutional challenge. <https://sexworklawreform.com/sex-worker-human-rights-groups-launch-constitutional-challenge/>
- Canadian Alliance for Sex Work Law Reform. (n.d.). Retrieved from: <https://sexworklawreform.com/>
- CBC News. (2016, February 22). *City Committee proposes new rule for body rub parlours*. <https://www.cbc.ca/news/canada/edmonton/edmonton-city-committee-proposes-new-rules-for-body-rub-parlours-1.3459339>
- CBC News. (2005, June 17). *Alberta RCMP offer \$100,000 reward for serial killer*. <https://www.cbc.ca/news/canada/alberta-rcmp-offer-100-000-reward-for-serial-killer-1.557283>
- Chapkis, W. (2003). Trafficking, migration and the law: Protecting innocents, punishing immigrants. *Gender and Society*, 17 (6), 923-937
- Cheng, S. (2011). *On the move for love: Migrant entertainers and the US military in South Korea*. USA: University of Pennsylvania Press.
- Childs, M., Ciarrochi, S., Gleeson, C., Lowman, J., Pacey, K., and Piche, D. e. (2006). *Beyond Decriminalization: sex work, human rights, and a new framework for law reform*. Vancouver: Pivot Legal Society.
- City of Edmonton. (2020). *Business license information course*. [https://www.edmonton.ca/business\\_economy/licences\\_permits/business-licence-information-course.aspx](https://www.edmonton.ca/business_economy/licences_permits/business-licence-information-course.aspx)
- City of Edmonton. (2019). *Body rub centre security and patron management plan*. Business License Bylaw, Bylaw 13138.
- City of Edmonton. (2019). *Bylaw 13138*. <https://www.edmonton.ca/documents/Bylaws/C13138.pdf>
- City of Edmonton. (2018). *Body rub centres--Annual update*. Citizens service report CR\_4986.
- City of Edmonton. (2018). *Access to municipal services without fear*. Policy C606.
- City of Edmonton. Business License Information Session and presentation. October 4, 2018.

- City of Edmonton. (2017). Community and Public Services Committee.
- City of Edmonton. (2017). *Body rub centres--Further consultation*. Citizen Services Report CR\_4985.
- City of Edmonton. (2015). *Body rub centre task force final report and recommendations*.
- City of Edmonton (2014) (a) *Body rub centre task force: Facilitated session and task force terms of reference*.
- City of Edmonton (2014) (b). *Community services report CR\_334: Body Rub Centres Task Force: Facilitated Session and Task Force Terms of Reference*.
- City of Edmonton (June 2014)(c). *Terms of reference: Body rub centres task force*. Report CR\_334-Attachment 1.
- City of Edmonton. (2012). *Hours of operation for the body rub/massage industry. Stakeholder consultation update*.
- City of Edmonton. (2000). *Safety audit guide for crime prevention*. Safer Cities Initiatives Office for the City of Edmonton.
- City of Edmonton (1976-1977). *Bylaw No. 4884: a bylaw to regulate, license, and control body rub parlours and massage clinics*.
- City of Edmonton. (n.d.) *CR\_3146. Body rub centres--implementation*.
- City of Edmonton. (n.d.). *Crime prevention through environmental design (CPTED)*.
- City of Edmonton (n.d.). *Business license classifications*.  
[https://www.edmonton.ca/business\\_economy/licences\\_permits/business-licence-classifications.aspx#accordion-112959](https://www.edmonton.ca/business_economy/licences_permits/business-licence-classifications.aspx#accordion-112959)
- City of Edmonton. (n.d.) *Business license information course*.  
[https://www.edmonton.ca/business\\_economy/licences\\_permits/business-licence-information-course.aspx](https://www.edmonton.ca/business_economy/licences_permits/business-licence-information-course.aspx)
- Clipperton, D. (2013). Work, sex, and theatre? A brief history of Toronto Strippers and sex work identity. In van der Meulen, E., Durisin, E., and Love, V. (Eds). *Selling Sex: Experience, advocacy, and research on sex work in Canada*. (pp. 29-45). Vancouver: University of British Columbia Press.
- Cook, D. (September 25, 2020). *City of Edmonton recommends continued licensing of body rub centres as the best approach to harm reduction*. Edmonton Journal.  
<https://edmontonjournal.com/news/local-news/city-of-edmonton-recommends-continued-licensing-of-body-rub-centres>
- Corriveau, P. (2013). Regulating sex work: Between victimization and freedom to choose. In C. Parent, C. Bruckert, P. Corriveau, M. Mensah, and L. Toupin, *Sex Work: Rethinking the Job, Respecting the Workers* (pp. 31-57). Vancouver, Toronto: UBC Press.
- Cowan, S. (2012). To Buy or Not to Buy? Vulnerability and the Criminalisation of Commercial BDSM. *Feminist Legal Studies*, 20, 263-279.
- Craig, E. (2011). Sex work by law: Bedford's impact on municipal approaches to regulating the sex trade. *Rev. Const. Stud*, 16.
- Crago, A-L. and Clamen, J. (2013). Né dans le Redlight: The sex workers' movement in Montreal. In E. van der Meulen, E. Durisin, and V. Love, *Selling Sex: Experience, Advocacy, and Research on Sex Work in Canada* (pp. 147-165). Vancouver: UBC Press.
- Crime Prevention Through Environmental Design Information Sheet.

- Curtis, T. L. (2018, October 4). *Enjoy the feeling of being choked?* Retrieved October 21, 2019, from unbound babes: <https://unboundbabes.com/blogs/magazine/choking-101>
- Cusick, L. (2006). Widening the harm reduction agenda: from drug use to sex work. *International Journal of Drug Policy*, 17, 3-11.
- Deighan, C. (2010). The Trafficking of Women and Girls from Russia and Ukraine. In G. Wylie, and P. McRedmond (Eds), *Human Trafficking in Europe: character, causes and consequences* (pp. 82-97). Palgrave Macmillan.
- DeVault, M., McCoy, L. (2002). Institutional Ethnography: Using interviews to investigate ruling relations. In Gubrium, J., Holstein, J (Eds) *Handbook of Interview research: context and method* (751-776). Thousand Oaks: Sage Publications.
- Dewey, S., Kelly, P. (2011). *Policing Pleasure: Sex Work, policy, and the state in global perspective*. New York: New York University Press.
- Diamond, T. (1992). *Making gray gold: Narratives of nursing home care*. Chicago and London: University of Chicago Press.
- Doe, J. (2013). Are feminists leaving women behind? The casting of sexually assaulted and sex-working women. In E. van der Meulen, E. Durisin, and V. Love, *Selling Sex: Experience, Advocacy, and Research on Sex Work in Canada* (pp. 181-198). Vancouver: UBC Press
- Doezema, J. (2002). Who gets to choose? Coercion, consent, and the UN trafficking protocol. *Gender and Development*, 10 (1), 20-27.
- Doll, A. (2017). *Lawyering for the 'mad': An institutional ethnography of involuntary admission to psychiatric facilities in Poland*. PhD Dissertation. University of Victoria, British Columbia.
- Doll, A., and Walby, K. (2019). Institutional Ethnography as a method of inquiry for criminal justice and socio-legal studies. *International Journal for Crime, Justice, and Social Democracy*, 8(1), 147-160.
- Durisin, E. van der Meulen, E., and Bruckert, C. (2013). Contextualizing sex work: Challenging discourses and confronting narratives. In van der Meulen, E., Durisin, E., Love, V (Eds.), *Red Light Labour: Sex Work Regulation, Agency, and Resistance* (pp. 8-30). Vancouver, BC, Canada: UBC Press.
- Durisin, E., and Heynen, R. (2015). Producing the 'trafficked women': Canadian newspaper reporting on Eastern European exotic dancers during the 1990's. *Atlantis: Critical Studies in Gender, Culture, and Social Justice*, 32(2), 8-24.
- Durisin, E., van der Meulen, E., and Bruckert, C. (2018) (Eds). *Red Light Labour: Sex Work Regulation, Agency, and Resistance*. Vancouver, BC, Canada: UBC Press.
- Durisin, E., van der Meulen, E., and Bruckert, C. (2018). Contextualizing sex work: Challenging discourses and confronting narratives. In *Red Light Labour: Sex Work Regulation, Agency, and Resistance* (pp. 3-27). Vancouver, BC, Canada: UBC Press.
- [DWAN] Digital Women's Archive North. (2017). The Feminists are Cackling in the Archive ... *Feminist Review*, (115), 155-164.
- Edmonton Police. (2019). *Edmonton police service*. Retrieved from Police Information Check FAQ.

<https://www.edmontonpolice.ca/CommunityPolicing/OperationalServices/PoliceInformationCheck/PICSFAQ>

- Farley, M. (2004). Bad for the body, bad for the heart: prostitution harms women even if legalized or decriminalized. *violence against women*, 10, 1087-1125.
- Farley, M. (1998). Prostitution, violence, and post-traumatic stress disorder. *Women and Health*, 27(3), 37-49.
- Ferris, S. (2015). *Street Sex Work and Canadian Cities: Resisting a Dangerous Order*. Edmonton: University of Alberta Press.
- Fisher, B. (1997). The battle for a new Canadian drug law: a legal basis for harm reduction or a new rhetoric for prohibition? A chronology. In D. R. P.G Erickson, *Harm reduction: a new direction for drug policies and programs* (pp. 47-67). Toronto: University of Toronto Press.
- Fletcher, T. (2013). Trans sex workers: negotiating sex, gender, and non-normative desire. In van der Meulen, E. Durisin, E and Love, V. (Eds). *Selling sex: experience, advocacy, and research on sex work in Canada* (p. 65-73). Vancouver: UBC Press.
- Frampton, C., Kinsman, G., Thompson, A., and Tilleczek, K. (2006). Glossary. In C. Frampton, G. Kinsman, A. Thompson, and K. Tilleczek (Eds). *Sociology for changing the world: social movements/social research*. (pp. 27-44). Halifax: Fernwood Publishing.
- Frances Shaver, J. B. (2018). Perceptions of Sex Work: Exploring the Narratives of Police and Regulatory Officials. In Durisin, E., van der Meulen, E., and Bruckert, C. (Eds). *Red Light Labour: Sex work regulation, agency, and resistance* (pp. 121-133). Vancouver: University of British Columbia.
- Gacek, J., and Jochelson, R. (2019). Sex Work in Canada: Beginnings, Bedford, and Beyond. In R. Jochelson, and J. Gacek, *Sexual Regulation and the Law: A Canadian perspective* (pp. 57-101). Bradford, Ontario: Demeter Press.
- Gillies, K. (2013). A wolf in Sheep's Clothing: Canadian anti-pimping law and how it harms sex workers. In van der Meulen, E., Durisin, E., and Love, V. (Eds). *Selling sex: experience, advocacy, and research on sex work in Canada* (pp. 269-279). Vancouver: UBC Press.
- Goffman, I. (1963). *Stigma: notes on the management of spoiled identity*. London: Simon and Schuster Inc.
- Goodyear, M., and Auger, C. (2013). Regulating Women's Sexuality: Social movements and internal exclusion. In van der Meulen, E., Durisin, E., Love, V. (Eds). *Selling sex: experience, advocacy and research on sex work in Canada* (pp. 211-230). Vancouver: University of British Columbia Press.
- Gould, D. B. (2009). *Moving politics: Emotion and ACT UP's fight against AIDS*. University of Chicago Press.
- Government of Alberta. (2021). Assured Income for the Severely Handicapped. <https://www.alberta.ca/aish-eligibility.aspx>
- Government of Alberta. (2020). Assured Income for the Severely Handicapped. <https://www.alberta.ca/aish.aspx>
- Government of Alberta. (2019). *Employment Standards*. <https://www.alberta.ca/employment-standards.aspx>

- Government of Alberta. (n.d.). *Administrative penalties*. Retrieved from Occupational Health and Safety: <https://www.alberta.ca/ohs-administrative-penalties.aspx>
- Government of Canada. (2020). CPP: retirement pension: Overview. <https://www.canada.ca/en/services/benefits/publicpensions/cpp.html>
- Government of Canada. (2021). Employment insurance benefits and leave. <https://www.canada.ca/en/services/benefits/ei.html>
- Gray, M. (2014). U of O, Carleton grad association push for safe consumption sites. *The Fulcrum*. <https://thefulcrum.ca/news/u-of-o-carleton-grad-associations-push-for-safe-consumption-sites/>
- Greenblat, J. (2018). The Banality of Anal: Safer Erotics in the Gay Men Health Crisis' Safer Sex Comix and Ex Aequo's Alex et la vie d'après. *Journal of Medical Humanities*.
- Haggerty, K. (2009). Ten Thousand Times Larger...anticipating the expansion of Surveillance. In D. N. B Goold, *New Directions in Surveillance and Privacy* (pp. 159-177).
- Hale, C. (2006). Activist Research v. cultural critique: Indigenous land rights and the contradictions of political engage anthropology. *Cultural Anthropology*, 21(1), 96-120.
- Hallgrimsdottis, H., Phillips, R., Benoit, C., and Walby, K. (2008). Sporting girls, streetwalkers, and inmates of houses of ill repute: Media narratives and the historical mutability of prostitution stigmas. *Sociological Perspectives*, 51 (1), 119-138.
- Hannem, S. (2012). Theorizing stigma and politics of resistance: symbolic and structural stigma in everyday life. In Hannem, S. and Bruckert, C. (Eds). *Stigma Revisited: the implications of the mark*. (pp. 10-29). Ottawa: University of Ottawa.
- Hannem, S., and Bruckert, C. (2012)(Eds). *Stigma Revisited: the implications of the mark*. Ottawa: University of Ottawa .
- Harm Reduction International. (2020). *What is Harm Reduction?* <https://www.hri.global/what-is-harm-reduction>
- Harding, K. (2005, June 18). Globe and Mail. *Mounties Finally admit serial killer is prowling Edmonton*. <https://www.theglobeandmail.com/news/national/mounties-finally-admit-serial-killer-is-prowling-edmonton/article18230493/>
- Haraway, D. (1988). Situated Knowledges: the science question in feminism and the privilege of partial perspective. *Feminist studies*, 14(3), 575-599.
- Hayes, M. (2020). Globe and Mail. Ontario Court Set to rule on constitutionality of Canada's prostitution laws. <https://www.theglobeandmail.com/canada/article-ontario-court-set-to-rule-on-constitutionality-of-canadas/>
- Hebenton, B., and Seddon, T. (2009). From dangerousness to precaution: managing sexual and violent offenders in an insecure and uncertain age. *British Journal of Criminology*, 49, 343-362.
- Hempstead, D. (2015, May 11) 11 *Massage workers face deportation*. Ottawa Sun. <http://ottawasun.com/2015/05/11/11-massage-workers-deported?token=1f990241431e5820a8ccf598eac20455>
- Hollett, K. (2014). *Bill C-36: A backgrounder*. [https://www.pivotlegal.org/bill\\_c\\_36\\_a\\_backgrounder](https://www.pivotlegal.org/bill_c_36_a_backgrounder)
- hooks, B. (2000). *Feminist theory: from margin to centre*. United Kingdom: Pluto Press.

- Hubbard, P. and Colosi, R. (2013). Sex, crime, and the city: municipal law and the regulation of sexual entertainment. *Social and Legal studies*, 22(1), 67-86.
- Hunt, S. (2013). Decolonizing sex work: developing an intersectional Indigenous approach. In van der Meulen, E., Durisin, E., Love, V. (Eds). *Selling Sex: experience, advocacy, and research on sex work in Canada* (pp. 82-101). Vancouver: UBC Press.
- Hussey, I. (2012). Political Activist as Ethnographer. Revisited. *Canadian Journal of Sociology*, 37(1), 1-23.
- Jagori. (2005). Migration, trafficking, and sites of work: Rights and vulnerabilities. In K. Kamala, J. Sanghera, and B. Pattanik (Eds), *Trafficking and prostitution reconsidered: New perspectives on migration, sex work, and human rights* (pp. 159-175). Paradigm Publishers.
- Jeffrey, L. (2005). Canada and migrant sex work: Challenging the 'foreign' in foreign policy. *Canadian Foreign Policy Journal*, 12(1).
- Jeffrey, L., and MacDonald, G. (2006). *Work, stigma, and resistance: sex workers in the Maritimes talk back*. Vancouver: University of British Columbia Press.
- Jeffries, F., and Ridgley, J. (2020). Building the sanctuary city from the ground up: abolitionist solidarity and transformative reform. *Citizenship Studies*, 24(4), 548-567.
- Johnson, J. (2002). In-Depth Interviewing. In J. Gubrium, and J. Holstein (Eds.), *Handbook of Interview Research* (pp. 103-119). Sage .
- Johnson, S. (2017). Edmonton body rub parlour customers should be ID for women's safety: advocates. *Global News Edmonton*. Edmonton.
- Kacala, A. (2017, April 3). Montreal sex workers speak out against efforts to shut down the City's massage parlour. *unicorn booty*. Montreal.
- Kapur, R. (2005). Cross border movements and the law: Renegotiating the boundaries of difference. In K. Kempadoo, J. Sanghera, and B. Pattanik (Eds). *Trafficking and prostitution reconsidered: New perspectives on migration, sex work, and human rights* (pp. 25-43). Paradigm Publishers.
- Kempadoo, K., and Doezema, J. (1998). *Global sex workers: Rights, resistance, and redefinition*. New York, United States: Routledge.
- Kempadoo, K., Sanghera, J., and Pattanik, B. (Eds) (2005). *Trafficking and prostitution reconsidered: new perspectives on migration, sex work, and human rights*. Boulder, Colorado: Paradigm Publishers.
- Kinsman, G. (2006). Mapping social relations of struggle: activism, ethnography, social organization. In C. Frampton, G. Kinsman, A. Thompson, and K. Tilliczek, (Eds). *Sociology for Changing the World: Social Movements/Social Research*. (pp. 133-156). Halifax: Fernwood Publishing.
- Kinsman, G., and Gentile, P. (2010). *The Canadian war on queers: national security as sexual regulation*. Vancouver: UBC Press.
- Khan, U. (2018). From Average Joe to Deviant John: The Changing construction of sex trade clients in Canada. In Durisin, E., van der Meulen, E., Bruckert, C. *Red light labour, sex work regulation, agency, and resistance*. (pp. 73-88). Vancouver: UBC Press.

- Khan, U. (2015)a. Antiprostitution feminism and the surveillance of sex industry clients. In Dubrotsky, R., and Magnet, S. (Eds). *Feminist Surveillance Studies* (p. 147-160).
- Khan, U. (2015)b. "Johns" in the spotlight: Anti-prostitution efforts and the surveillance of clients. *Canadian Journal of Law and Society*, 30 (1), pp. 9-29.
- Knoops, L., Bakker, I., Bodegom, R. v., and Zantkuijl, P. (2015). *Tina and Slamming: MSM, crystal meth and intravenous drug use in sexual settings*. Amsterdam: Mainline, Soa AIDS.
- Labine, J. (September 18, 2019). Edmonton Journal. *City examining merits of not licensing body rub centres*. <https://edmontonjournal.com/news/local-news/city-examining-merits-of-not-licensing-body-rub-centres>
- Lam, E. (2019). Micromanaging the massage parlour: How municipal bylaws organize and shape the lives of Asian sex workers. In Petrella, S. *Erotic Subjects and Outlaws* (pp. 102-130). Brill.
- Lam, E. (2016). Inspection, policing and racism: how municipal by-laws endanger the lives of Chinese sex workers in Toronto. *Canadian Review of Social Policy/Revue Canadienne Sociale*, 75, 87-112.
- Lam, E., and Gallant, C. (2018). Migrant sex workers' justice: building alliances across movements. In Durisin, E., van der Meulen, E., and Bruckert, C. *Red Light Labour: Sex work regulation, agency, and resistance* (pp. 293-304). Vancouver: UBC Press.
- Law, T. (2015). Licensed or licentious?: Examining regulatory discussions of stripping in Ontario. *Canadian Journal of Law and Society*, 30(1), 31-50.
- Lewis, J., and Maticka-Tyndale, E. (2000). Licensing sex work: Public policy and women's lives. *Canadian Public Policy*.
- Lewis, J., Shaver, F., and Maticka-Tyndale, E. (2013). Going 'round again: the persistence of prostitution-related stigma. In E. van der Meulen, E. Durisin, and V. Love (Eds.), *Selling sex: experience, advocacy, and research on sex work in Canada* (pp. 198-209). Vancouver: University of British Columbia Press.
- Lindemann, D. J. (2013). Health discourse and within-group stigma in professional BDSM. *Social Science and Medicine*, 169-175.
- Lowman, J. (2013). Crown expert-witness testimony in Bedford v. Canada: Evidence-based argument or victim-paradigm hyperbole? In van der Meulen, E., Durisin, E., Love, V. (Eds). *Selling Sex: experience, advocacy, and research on sex work in Canada* (pp. 230-251). Vancouver: UBC Press.
- Lowan, J. (2000). Violence and the outlaw status of (street) prostitution in Canada. *Violence Against Women*, 987-1011.
- Mac, J., and Smith, M. (2018). Introduction. In J. Mac, and M. Smith, *Revolting Prostitutes: the Fight for Sex Workers Rights* (pp. 1-22). London, Brooklyn: Verso Books.
- MacKinnon, C. (1989.). *Toward a Feminist theory of the state*. Cambridge: Harvard University Press.
- Maggies Toronto. (2021). <https://www.maggiesto.org/>
- Maimann, K. (2013, March 27). *Edmonton Examiner*. Retrieved from [www.edmontonexaminer.com](http://www.edmontonexaminer.com).

- Mann, S. (2010) Creative class struggle: gentrification and sex work in Hamilton's downtown core. *Briarpatch*, 39(4).
- Maynard, R. (2018). Do black sex workers' lives matter? Whitewashed anti-slavery, racial justice, and abolition. In Durisin, E., van der Meulen, E., and Bruckert, C (Eds). *Red light labour: sex work regulation, agency, and resistance* (pp. 281-293). Vancouver: UBC Press.
- Mawani, R. (2009). Colonial proximities: Cross-racial encounters and juridical truths in British Columbia, 1871-1921. Vancouver: UBC Press.
- Migrante Alberta. <https://www.migrantealberta.ca/who-are-we>
- Miller, P. (2001). A critical review of harm minimization ideology in Australia. *Critical Public Health*, 167-178.
- Mistress Matisse. (March 3, 2019). @mistressmatisse.
- Montgomery, L., and Symons, E. (2016). Secours ou préjudice: Le profilage des travailleurs et travailleuse du sexe comme victimes de trafic humain. *Reflets. Profilage social et judiciarisation de la marginalité*, 22 (1), 194-203.
- Newman, K., and Wyly, E. (2006). The right to stay put, revisited: Gentrification and resistance to displacement in New York City. *Urban Studies*, 43(1), 23-57.
- Nichols, N., Scholars Portal, and eBOUND Canada. (2014). *Youth work: An institutional ethnography of youth homelessness*. Toronto [Ontario]: University of Toronto Press.
- Ng, R. (2006). Exploring the globalized regime of ruling from the standpoint of immigrant workers. In Frampton, C., Kinsman, G., Thompson, A.K., Tiliczek, K.(Eds.), *Sociology for Changing the World: Social Movements/ Social Research*. (174-189). Halifax: Fernwood Publishing.
- Ng, R. (1996). *The politics of community services: Immigrant women, class and the state* (2nd ed.). Halifax: Fernwood Pub.
- Open Society Institute(2006). *Harm reduction, health and human rights, and sex work*. New York: Sexual Health and Rights Project.
- Overdose Prevention Ottawa. (n.d.)  
<http://overdosepreventionottawa.wordpress.com/about-us/>
- PACE Society. (2016). <https://www.pace-society.org/services/support-services/>
- Paik, N. (2017). Abolitionist futures and the US sanctuary movement. *Race and Class*, 3-25.
- Parent, C., Bruckert, C., Corriveau, P., Mensah, M., and Toupin, L. (2013).(Eds). *Sex work: Rethinking the job, respecting the worker*. Vancouver: UBC Press.
- Pester, H. (2017). Archive fanfiction: experimental archive research methodologies and feminist epistemological tactics. *Feminist Review*, 115, 114-129.
- PIECE Edmonton. (n.d.). <https://twitter.com/piecedmonton?lang=en>
- Pivot Legal (2014). *Briefing Note: Bill C-36: An Act to amend the criminal code in response to the SCC decision in AG Canada v. Bedford and to make consequential amendments to the act*.
- Pivot Legal. (2006). Childs, M., Ciarrocchi, S., Gleeson. C., Lowman, J., Pacey, K., Paradis, F., Piche, D., Rix, E., Ryan, E., Sigurdson, E., Sugurdson, K., Track, L., Tsurumi, M V-D., Weich, L. Beyond decriminalization: Sex work, human rights,

- and a new framework for law reform.  
[https://www.pivotlegal.org/beyond\\_decriminalization](https://www.pivotlegal.org/beyond_decriminalization)
- POWER. (n.d.). <https://www.powerottawa.ca/>
- REACH Edmonton. Council for Safe Communities. <https://reachedmonton.ca/>
- Red. S (2018). Let Us Survive: Demanding the decriminalization of sex work.  
<https://survivedandpunished.org/2018/06/05/let-us-survive-demanding-the-decriminalization-of-sex-work/>
- RCMP. (2015). KARE/Pro-Active Team. <https://www.rcmp-grc.gc.ca/ab/community-communaute/mis-dis/kare/index-eng.htm>
- Redwood, R. (2018). Myths and realities of male sex work: a personal perspective. In Durisin, van der Meulen, E., Bruckert, C. (Eds) *Red light labour: Sex work regulation, agency, and resistance* (pp. 167-181). Vancouver: University of British Columbia.
- Restoule, J., Mashford-Pringle, A., Chacaby, M., Smillie, C., Brunette, C., and Russel, G. (2013). Supporting successful transitions to post-secondary education for indigenous students: Lessons from an institutional ethnography in Ontario, Canada. *International Indigenous Policy Journal*, 4(4), 4, 1-11.
- Rivers-Moore, M. (2016). *Gringo gulch: Sex, tourism, and social mobility in Costa Rica*. University of Chicago Press.
- Robinson, J. (2020). Capitalizing on community: affordable housing markets in the age of participation. *Politics and Society*, 48 (2), 171-198.
- Rodimon, S. (2018). "We have the law, we need the access!" Activism, access and the social Organization of abortion in New Brunswick. *Carleton University*. Ottawa, Canada.
- Roe, G. (2005). Harm reduction as paradigm: Is better than bad good enough? The origins of harm reduction. *Critical Public Health*, 243-250.
- Roots, K. (2013). Trafficking or Pimping? An analysis of Canada's human trafficking legislations and its implications. *Canadian Journal of Law and Society/Revue Canadienne Droit et Société* , 21-41.
- Ross, B. (2018). Whorganizers and gay activists: Histories of convergence, contemporary currents of divergence, and the promise of non-normative futures. In Durisin, E., van der Meulen, E., Bruckert, C. (Eds). *Red Light Labour: Sex work regulation, agency, and resistance* (pp. 256-271). Vancouver: UBC Press.
- Ross, B. (2010). Sex and (evacuation from) the City: The moral and legal regulation of sex workers in Vancouver's West End, 1975-1985. *Sexualities*, 197-218.
- Ross, B., and Sullivan, R. (2012). Tracing lines of horizontal hostility: How sex workers and gay activists battled for space, voice, and belonging in Vancouver, 1975-1985. *Sexualities*, 604-621.
- Sanders, T. and Campbell, R. (2007). Designing out vulnerability, building in respect: violence, safety, and sex work policy. *British Journal of Sociology*, 1-19.
- Sanghera, J. (2005). Unpacking the trafficking discourse. In K. Kempadoo, J. Sanghera, B. Pattanik, (Eds.), *Trafficking and prostitution reconsidered: New perspectives on migration, sex work, and human Rights* (pp. 3-25). London: Paradigm Publishers.

- Santini, T., Klein, A., Stella, l'aimie de Maimie., Butterfly Asian and Migrant Sex Worker Support Network. (2020). *Sex work and harm reduction discourse: A reflection*.
- Sayers, N. (2018). Municipal regulation of street-based prostitution and the impacts on indigenous women: a necessary discussion. In Durisin, E., van der Meulen, E., Bruckert, C. (Eds). *Red Light Labour: Sex work regulation, agency, and resistance* (pp. 57-67). Vancouver: UBC Press.
- Sexual Exploitation Working Group (SEWG) Edmonton. <https://edmontonsewg.com/>
- Sex Workers of Winnipeg Action Coalition. <http://sexworkwinnipeg.com/>
- Sex Workers Outreach Project. Twitter. @swopusa
- Shane, C. (2013, March 21). "Getting Away" with hating it: Consent in the context of sex work. Tits and Sass: Service Journalism By and For Sex Workers. <http://titsandsass.com/getting-away-with-hating-it-consent-in-the-context-of-sex-work/>
- Sharma, N. (2005). Anti-trafficking rhetoric and the making of a global apartheid. *NWSA Journal*, 17 (3), 88-111.
- Shaver, F., Bryans, J., Bhola, I (2018). Perceptions of Sex Work: Exploring the Narratives of Police and Regulatory Officials. In Durisin, E., van der Meulen, E., Bruckert, C (Eds.), *Red Light Labour: Sex work regulation, agency, and resistance*. (pp. 121-133). Vancouver, BC, Canada: UBC Press.
- Shaver, F. (2005, March). Sex Work Research: Methodological and Ethical Challenges. *Journal of Interpersonal Violence*, 20(3), 296-319.
- SHIFT. (2019). <http://www.shificalgary.org/>
- SHIFT. *Shifting Perspectives: An Introduction to Sex Work and a Harm Reduction Approach*. Workshop. Lethbridge. August 25, 2018.
- Shotwell, A. (2011). *Knowing otherwise: race, gender, and implicit understanding*. Pennsylvania: The Pennsylvania State University Press.
- Smith, C. (2012). Harm reduction as anarchist practice: A users' guide to capitalism and addiction in North America. *Critical Public Health*, 209-221.
- Smith, D. (2005). *Institutional ethnography: A sociology for people*. Lanham, MD: AltaMira Press
- Smith, D. (1999) a. *Writing the Social: Critique Theory and Investigations*. Toronto: University of Toronto Press
- Smith, D. (1999) b. The ruling relations. In *Writing the social: critique, theory and investigations*. Toronto: University of Toronto Press.
- Smith, D. (1990). *Texts, facts, and femininity. Exploring the relations of ruling*. New York: Routledge.
- Smith, D. (1987). *The everyday world as problematic: A feminist sociology*. Toronto, Ontario: University of Toronto Press.
- Smith, G. (1990). Political activist as ethnographer. *Social Problems*, 37(4), 629-648.
- Spanjer, N. (2019, November 19). 'He wouldn't look me in the eye'-Sex Worker's on their GP visits. Vice Magazine. [https://www.vice.com/en\\_uk/article/kz4bpy/sex-workers-doctors-healthcare-stigma-prejudice-experience?fbclid=IwAR39ZHnguu6yc1z-qgIzZRhqTgAvsUXIqVP52738ffXAtsR41mebp\\_vFoFM](https://www.vice.com/en_uk/article/kz4bpy/sex-workers-doctors-healthcare-stigma-prejudice-experience?fbclid=IwAR39ZHnguu6yc1z-qgIzZRhqTgAvsUXIqVP52738ffXAtsR41mebp_vFoFM)

- Special Committee on Pornography and Prostitution. (1985). *Pornography and prostitution in Canada: Report of the special committee on pornography and prostitution*. Volume 1. Ottawa: Canadian Government Publishing Centre.
- Stark, E. (2015, October 27). Police Charge 33 people in four-day prostitution sweep. *Calgary Herald*. Calgary, Alberta, Canada.
- Sterling, A. (2018). New risk-spaces, new spaces for harm: The effects of advertising offence on independent escorts. In Durisin, E., van der Meulen, E., Bruckert, C. (Eds). *Red Light Labour: Sex Work Regulation, Agency, and Resistance* (pp. 94-104). Vancouver: University of British Columbia Press.
- Stoller, N. (1998). *Lessons from the damned: queers, whores, and junkies respond to AIDS*. New York: Routledge.
- Stolte, E. (2018, September 13). Edmonton Journal. *Committee backs new sanctuary city policy; council to vote next week on efforts to support undocumented immigrants*. <https://edmontonjournal.com/news/local-news/committee-backs-edmonton-new-sanctuary-city-policy-for-undocumented-residents>
- Stolte, E. (2017, September 18)(a). Advocates push for mandatory identification for men at body rub parlours. *Edmonton Journal*. <https://edmontonjournal.com/news/local-news/advocates-push-for-mandatory-i-d-for-men-at-body-rub-parlours>
- Stolte, E. (2017)(b). City to draft policy to assist temporary foreign workers with lapsed visas. *Edmonton Journal*. Retrieved: <https://edmontonjournal.com/news/local-news/edmonton-to-debate-sanctuary-city-for-undocumented-immigrants>
- Stolte, E. (2016, February 22). Edmonton Body Rub Parlour ban to be lifted April 1. *Edmonton Sun*. <https://edmontonsun.com/2016/02/22/edmonton-body-rub-parlour-ban-to-be-lifted-april-1>
- Sutdhibhasilp, N. (2002). Migrant sex workers in Canada. In S. Thorbek, and B. Pattanik, *Transnational prostitution changing patterns in a global context*. New Zealand: Zed Books.
- Takahashi, L. (1997). The socio-spatial stigmatization of homelessness and HIV/AIDS: toward an explanation of NIMBY syndrome. *Soc Sci Med*.
- Tamboukou, M. (2013). Archival research: unravelling space/time/matter entanglements and fragments. *Qualitative research*, 14(5), 617-633.
- Toupin, L. (2013). Clandestine Migrations by women and the risk of trafficking. In Parent, C., Bruckert, C., Corriveau, P., Mensah, and Toupin, L. *Sex work: Rethinking the job, respecting the workers* (pp. 111-137). Vancouver: UBC Press.
- Tracy, S. (2012). *Qualitative research methods: Collecting evidence, crafting analysis, communicating impact*. Wiley-Blackwell.
- United Nations. (2000). *Protocol to prevent, suppress, and punish trafficking in persons especially women and children*.
- United Nations (2004). *United Nations Convention against transnational organized crime and the protocols thereto*. <http://www.unodc.org/documents/treaties/UNTOC/Publications/TOC%20Convention/TOCebook-e.pdf>
- Valverde, M. (2008). *The age of light, soap, and water: Moral reform in English Canada, 1885-1925*. Toronto: University of Toronto Press.

- Valverde, M. (2005). Authorizing the production of urban moral order: appellate courts and their knowledge games. *Law and Society Review*, 39.
- van der Meulen, E., and Durisin, E. (2018). Sex work policy: tracing historical and contemporary developments. Durisin, E., van der Meulen, E., and Bruckert, C. (Eds.). *Red Light Labour: Sex work regulation, agency, and resistance* (pp. 27-48). Vancouver: University of British Columbia Press.
- van der Meulen, E., and Durisin, E. (2008). Why decriminalize?: How Canada's municipal and federal regulation increase sex workers' vulnerability. *Canadian Journal of Women and Law*, 20 (2), 289-311.
- van der Meulen, E., Durisin, E., and Love, V. (2013). Introduction. In E. van der Meulen, E. Durisin, and V. Love (Eds.), In *Selling sex: Experience, advocacy, and research on sex work in Canada* (pp. 1-27). Vancouver: UBC Press.
- van der Meulen, E., and Valverde, M. (2013). Beyond the Criminal Code: Municipal licensing and zoning by-laws. In van der Meulen, E. Durisin, E., and Love, V. (Eds.). *Selling sex: Experience, advocacy, and research on sex work in Canada* (pp. 314-323). Vancouver: UBC Press.
- van der Meulen, E. Durisin, E. and Love, V. (2013). (Eds.) *Selling Sex: experience, advocacy, and research on sex work in Canada*. Vancouver: UBC Press.
- Walby, K. (2007). On the social relations of research: A critical assessment of institutional ethnography. *Qualitative inquiry*, 13(7), 1008-1030.
- Walby, K., and Anais, S. (2015). Research methods, institutional ethnography, and feminist surveillance studies. In S. A. Rachel Dubrofsky, *Feminist Surveillance Studies* (pp. 160-168). Durham, London: Duke University Press.
- Weitzer, R. (2015). Human trafficking and contemporary slavery. *Annual Review of Sociology*, 41, 223-242.
- Weitzer, R. (2007). The social construction of sex trafficking: ideology and institutionalization of a moral crusade. *Politics and Society*, 447-475.
- Weitzer, R. (2006). Moral crusade against prostitution. *Society*, 33-38.
- Welsh, M., and Rajah, V. (2014). Rendering invisible punishments visible: Using institutional ethnography in feminist criminology. *Feminist Criminology*, 9(4), 323-343.
- Williams, E. (2013). *Sex tourism in Bahia: Ambiguous entanglements*. Urbana: University of Illinois Press.
- Wilson, A., McCrae, K. (2015). *Engaging community: Addressing sex trafficking in Edmonton*.
- Workers' Compensation Board-Alberta. (2020). <https://www.wcb.ab.ca/>
- Wotton, R. (2007, May). Harm reduction frameworks in sex worker peer education. Warsaw, Poland.
- Wright, J., Heynen, R., and van der Meulen, E. (2015). It depends on who you are, what you are: Community safety and sex workers' experience with surveillance. *Surveillance and Society*, 13(2), 265-282.
- Zabjek, A. (2019, October 15). They do so much to keep up girls safe': Body Rub Worker Calls on City to Maintain licensing. CBC News Edmonton. <https://www.cbc.ca/news/canada/edmonton/body-rub-edmonton-city-1.5319987>
- Zheng, T. (2013). Ethical research design. In S. Dewey, and T. Zheng, *Ethical Research with Sex Workers* (pp. 1-22). New York: Springer.

Zheng, T. (Eds). (2010). *Sex trafficking, human rights, and social justice*. London, England: Routledge.

**Cases:**

*Bedford v. Canada*. 2010. ONSC 4264

*Canada (Attorney General) v. Bedford*, 2012 ONCA 186

*Canada (Attorney General) v. Bedford*, 2013 SCC 72 [2013] 3 SCR 1101

*R. v. Anwar*, 2020 ONCJ 103

**Legislation**

*An Act to Amend "The Indian Act, 1876,"* SC, 1879

Bill C-36: *Protection of Communities and Exploited Persons Act*, SC 2014, c.25

Bill C-49: *An Act to Amend the Criminal Code (Prostitution)*, 1985.

*Criminal Code*, 1892, 55-56 Vict., c. 29

*Criminal Code of Canada*, RSC, Section 210

*Criminal Code of Canada*, RSC, Section 213 (1.1)

*Criminal Code of Canada*, RSC, Section 286.1(1)

*Criminal Code of Canada*, RSC, Section 286.2

*Criminal Code of Canada*, RSC, Section 286.3

*Criminal Code of Canada*, RSC, Section 286.4

Government of Alberta. (2018). *Occupational Health and Safety Act*.

Government of Alberta. (2018). *Employment Standards Code*.

Government of Alberta. (2016). *Municipal Governance Act*.

Government of Canada. (2017). *Immigration and refugee protection regulations*, s. 183(1)(b.1))

Government of Canada . (2014). Bill C-36: *The Protection of Exploited Persons and Communities Act*. Ottawa.