

Governing sex work: an agonistic policy community and its relational dynamics

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Relatively few policy scholars have analyzed prostitution laws and the governance of sex work. This is unfortunate because the policy area is associated with societal problems, and the systematic study of public policy was initially conceived to address such problems. Moreover, this dearth is problematic for reasons related to how we conceptualize policy processes, actors involved in them, relationships among them, power structures characterizing them and ultimately the significance of policy. Developments in prostitution laws in Canada, through constitutional challenges to criminal provisions and local practices of implementation, suggest the analytical usefulness of the policy community heuristic in capturing important relational dynamics. With a focus on relationships and not merely structural and strategic linkages, it can capture nuances concerning changing dynamics and their implications for policy. Conceptually, this study suggests that agonistic relations emerge within policy communities that may be deeply divided when members experience catalyst events of which the public is aware, cannot easily refute the evidence and converge on a response framework. This study highlights policy developments that in significant ways have been driven by sex workers in Vancouver, BC.

Keywords: prostitution policy; policy community; policy implementation; governance; harm reduction

Introduction

Relatively few policy scholars have taken on prostitution law and analyzed the governance of sex work.¹ As Hendrik Wagenaar and Sietske Altink state, despite ‘the abundance of scholarly and popular literature on prostitution, publications on prostitution policy are remarkably scarce’ (2012, 280).² The buying and selling of sex among consenting individuals is not among the ‘fundamental problems’ of humankind as early proponents of policy analysis might have understood them. But, over the course of its long history, sex work has been associated – although not necessarily associated – with discrimination, marginalization, exploitation and violence. Often socially stigmatized, forced to work in hidden or darkened places and exposed to potential harms without means of protection or recourse, sex workers have long been vulnerable members of society. Sex workers’ physical safety, psychological well-being and basis of respect have long been at stake.

In significant ways, public policies have contributed to these risks. The international body of evidence concerning harms associated with sex work in a criminalized context is rapidly growing. As stated in an open letter signed by over 300 experts in the area, a ‘large body of scientific evidence from Canada, Sweden and Norway (where clients and third parties are criminalized), and globally clearly demonstrates that criminal laws

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targeting the sex industry have overwhelmingly negative social, health, and human rights consequences to sex workers, including increased violence and abuse, stigma, HIV and inability to access critical social, health and legal protections' (Abel et al. 2014, 1; see also Chu and Glass 2013; Csete and Cohen 2010; Dodillet and Östergren 2011; Krüsi et al. 2014; Lazarus et al. 2012; Lowman 2000, 2004; Scoular 2010; Shannon 2010; Shannon and Csete 2010; Shannon et al. 2008, Shannon, Kerr, et al. 2009; Shannon, Strathdee, et al. 2009; Skilbrei and Holmström 2013; World Health Organization 2012). Nonetheless, there is not only deep disagreement about appropriate legal and policy responses but also antagonism between those who seek decriminalization and those who seek continued criminalization.

The lack of policy analysis focusing on prostitution law and sex work governance is problematic for another set of reasons. These reasons relate to how we conceptualize policy processes, actors involved in them, relationships among them, power structures characterizing them and ultimately the implications of policy. Generally, policy theory has been developed on the basis of studies in areas such as taxation, energy, health, agriculture, resource management, transportation and industry (e.g., Atkinson and Coleman 1989; Coleman, Skogstad, and Atkinson 1996; Hajer 1996; Hecló 1978; Howlett, Ramesh, and Perl 2009; Jordan 1981; Laumann and Knoke 1987; Marsh and Rhodes 1992a, 1992b; Sabatier 1987; Sabatier and Jenkins-Smith 1993). Based on such studies, scholars have generated a set of concepts and models to enable accurate descriptions of and compelling rationales for the particularities of policy processes. Policy cycles, sub-systems, networks and coalitions have emerged as dominant. But exploring areas beyond the more traditional purview of policy scholars, policy-makers and the general public can surface the importance of alternative concepts. Indeed, the case of prostitution law and sex work governance in Vancouver, Canada, specifically in recent developments through constitutional challenges to criminal provisions and local initiatives in implementation, foregrounds the analytical usefulness of the concept of policy community in capturing important relational dynamics.

This policy area is complicated in any jurisdiction and Canada is no exception. The terrain is demarcated by a federal legal framework in which the buying and selling of sex among consenting adults is, at the time of writing, legal. However, certain fundamentally related activities have been and continue to be understood as crimes. The *Canadian Criminal Code* currently prohibits owning, operating or working in bawdy houses or brothels, living on the avails of prostitution and communicating in public for the purposes of prostitution. Based on a consideration of extensive evidence, including government-commissioned reports, academic articles, legally sworn testimonies and experiential accounts, the Supreme Court of Canada unanimously found that these provisions exacerbate serious risks faced by sex workers and violate their security of person interests (Attorney General of Canada 2013). Given the strength of evidence that these provisions increase risks of violence they face, sex workers were successful in their legal arguments. Although the Court ruled that the provisions were unconstitutional, it suspended its judgment of invalidity until December 2014. In June 2014, the Government of Canada introduced a bill that would criminalize the purchasing of sexual services, communicating for the purposes of prostitution in a public place where minors could reasonably be expected to be present, gaining material benefit from prostitution in exploitative and abusive relationships, and advertising for the purposes of prostitution. Federal law plays an important but limited role in the governance of sex work, which is understood as a larger constellation of practices and policies within specific social, political and jurisdictional contexts.

Vancouver stands out as the site of important shifts in policy in which local sex worker organizations and their ally organizations have been the driving force. As Joyce Arthur, Susan Davis and Esther Shannon state, by ‘educating themselves and the public about the harms of prostitution laws,’ Vancouver’s sex workers contributed to steering ‘the Canadian movement as a whole toward decriminalization...’ (2013, 144). In response to the risks increased by criminal laws, sex workers formed organizations such as Providing Alternatives Counselling and Education (PACE) Society and the Downtown Eastside Sex Workers United Against Violence Society (SWUAV) and worked with advocacy and support organizations to seek changes to federal criminal laws, municipal policies and enforcement practices. Through their persistent efforts, these organizations would eventually develop strategic, although tense, relationships with the City of Vancouver and Vancouver Police Department (VPD).

These relationships are complex and not easily characterized in terms of the dominance of one policy coalition over the other. Nor can they easily be characterized as collaborative governance. Instead, they are better understood in terms of a deep antagonism that over the years has yielded to limited forms of agonism to respond to a particular problem, which is the violence against street-involved sex workers and other marginalized women – violence that includes serial murder. Agonism in this sense refers to relationships that are not based on trust and that are not aimed at consensus building, which are traits typically associated with collaboration in policy processes (see Ansell and Gash 2008; Innes and Booher 2010). Despite the widespread distrust, these relationships can be productive if, as this case suggests, they are focused on addressing specific problems within an acceptable solution framework. In this case, they are bolstered although not solidified by a convergence on the idea and principles of harm reduction that, in the early to mid-2000s, had come to be accepted by the City as a response to fatal injection drug overdoses.³ This ‘collaboration,’ which remains very tenuous, has given rise to important local initiatives aimed at mitigating harms associated with sex work – initiatives that effectively change federal policy in its implementation.

In exploring this case, the importance of policy community becomes apparent. The concept is especially helpful in highlighting a broad diversity of actors, including marginalized groups, nonprofit civil society organizations and state entities, involved in policy processes. It also helps in understanding the complexity of their relationships as they evolve over years. With a focus on relationships and not merely structural and strategic linkages, it can capture nuances concerning changing dynamics and their implications for policy. This emphasis on interaction and communication can serve in identifying a rationale for policy change. Conceptually, this case study suggests that agonistic relations emerge within policy communities that may be characterized by deep division and animosity when members experience or perceive catalyst events around which there is significant public awareness, cannot easily refute the evidence concerning factors contributing to these events and converge on a framework to address problems associated with these events. Such relations can produce significant policy initiatives intended to address these problems.

I begin with an illustrative overview of the concept of policy community, which is followed by a brief discussion of challenges associated with this policy area. I then delve into a detailed analysis of the organization and mobilization of policy actors that have resulted in important changes in prostitution laws through the courts and in sex work governance on the ground. This analysis highlights the role of historically marginalized actors building a body of evidence concerning the detrimental effects of criminal laws around prostitution, raising public awareness of violence against vulnerable women,

pressuring for policy change, and engaging in the development of local policy initiatives. In particular, I provide examples of how agonistic relationships can result in local policy changes in implementation. I conclude with brief reflections on conceptualizing sex workers as active subjects making important contributions to public policy.

Policy actors, relationships and community

The concept of policy community is important both as a metaphor and as a model. Metaphorically, it encourages the student, scholar and analyst of policy to think broadly about all of the actors coming into communication with the intention of addressing a set of policy problems. Included are members of what Paul Pross (1986) and William Coleman and Grace Skogstad (1990) identify as the ‘attentive public’ and ‘subgovernment.’ As a metaphor, policy community is more helpful than Michael Howlett, M. Ramesh and Anthony Perl’s ‘policy universe’ (2009) by conveying communication, understanding and relationships as opposed to an ever-expanding constellation of actors. As a model, the term may help yield an accurate conceptualization of actors, their emotional as well as professional commitments to increased organization and strategic mobilization, the dynamics of their relationships as they evolve in response to catalyst events, and, when also incorporating institutional, political and/or ideational factors, why they are successful in creating policy change. As a model, it alone cannot tell us which of these factors is salient, but it can highlight relevant relationships among actors as they respond and seek to bring about change.

As Skogstad point out (2008), Coleman and she employed the concept to refer ‘to the set of actors, public and private, that coalesce around an issue area and share a common interest in shaping its development’ (208). With reference to works by Hugh Hecllo and Paul Pross, respectively, Michael Atkinson and Coleman note that the term has an ‘anthropological’ tenor and implies a ‘shared belief system, code of conduct, and established pattern of behavior’ (1992, 158). They go on noting that the term suggests organic connections among actors (159). From their perspective, the term policy network is reserved ‘for describing the nature of the “linking process” that occurs within this community’ (158). In particular, policy network refers to actors in the subgovernment who are actively involved in policy formulation and implementation (Coleman and Skogstad 1990). Frank Fischer takes a similar angle, noting that ‘policy networks are immersed in larger policy communities’ and that these ‘communities include a variety of policy actors who may or may not be represented in policy networks’ (2003, 33). For Fischer, policy community is a broader and more inclusive category of actors and potential actors, ‘who need not possess a hard and fast consensus about problems or the appropriate solutions’ (2003, 33). He goes on: ‘The concept of a policy network, in contrast, is more restricted to a subset of community members who interact with each other on a regular – even routinized – basis, sharing more specific knowledge-based understandings about problems and solutions’ (2003, 33).

The strength of this broad conception of policy community is that it captures a range of actors moving in and out of the attentive public, subgovernment and policy networks. It also captures their relationships, which are developed not strictly in formal forums but spill over into less structured settings. They are, however, bound by a shared concern for the policy area and by specific contexts and sites. Diane Stone (2008), for example, uses the metaphor of an *agora* or public square/market in which policy communities develop. Policy community encourages an examination of the attributes of constituent relationships

as they evolve within certain contexts and with respect to particular events and evidence, as well as to larger institutional, political and ideational factors.

The policy community highlighted in this paper centers on sex work governance in Vancouver. Actors who are especially active in navigating and contesting existing laws to mitigate their harmful effects include sex workers, as well as advocacy and support organizations either working closely with and on behalf of them. Other actors that in recent times have taken steps to try to address issues of violence against sex workers include the VPD and City of Vancouver. Historically, there has been intense animosity between sex workers and law enforcement and government officials. It is well documented that local policies displaced many sex workers to areas prone to violent crime (see Lowman 2000) and that the VPD failed to take seriously the claims of sex workers regarding violence against them (see Oppal 2012, Vol. I, Vol. IIa and Vol. IIb). We can, however, now conceptualize these actors as forming a policy community, characterized by moments of agonism resulting in initiatives aimed at reducing harms associated with sex work.

This community includes traditional state actors and nontraditional nonstate actors. Typically, nonstate actors that are members of a policy community are reasonably well funded and well connected, especially those that are influential in policy processes. Having resources and standing, these more traditional nonstate actors tend to include corporations, business and industry associations, and other large organizations representing interests, perspectives and/or peoples. In this case, we see active nontraditional nonstate actors, often existing on meager budgets and meeting only sporadically. Their membership includes marginalized women who work or have worked in the sex trade. Many are Indigenous and suffer the lingering effects of colonialism. Many live in material poverty. As a consequence of Canadian laws concerning prostitution, many have been criminalized. These are grassroots, very small-scale organizations consisting of highly motivated individuals who draw directly from lived experiences to seek legal reform and policy change.

What all of these actors appear to have in common is a commitment to addressing the violence and exploitation that occur in sex work. Although remaining characterized by deep tension, apprehension and suspicion, this policy community has worked to achieve goals of harm reduction in a conducive institutional, judicial and political context. Before engaging in an analysis of this case, I briefly discuss some of the challenges related to studying prostitution law and sex work governance.

Prostitution law and the policy challenges of sex work

Debates about the legal status of prostitution can be exceedingly polarizing. Generally, two deeply opposing positions exist among activists, scholars, lawyers and current and former sex workers. One position represents a prohibitionist position that seeks an end to prostitution, typically by criminalizing the buying of sex but not the selling of it. This position also involves the provision of social programs to sex workers intended to enable them to leave the trade (Ekberg 2004). This position is based on a view of society as characterized by profound and pervasive gender inequality (e.g., Benedet 2008; Farley 2004, 2006; Johnston 2011; Mackinnon 2011). From this perspective, all women are subjected to the economic, political and/or cultural dominance of men. Women who are in lower economic positions, who have been abused or who are racialized tend to suffer the most. In Canada, colonialism persists in the overrepresentation of Indigenous women in

street-based prostitution (see Native Women's Association of Canada 2012a, 2012b). In this context, prostitution in all forms is necessarily coercive and violent.

The other position seeks either the decriminalization or legalization of sex work. Proponents of decriminalization call for the striking down of criminal laws concerning adult prostitution. They propose that standards, guidelines and policies concerning workplace conditions and employment benefits be upheld for sex workers and that civil and criminal laws of general application be enforced to ensure their safety. Proponents of legalization seek to strike down criminal laws relating to adult prostitution as well as to implement and enforce industry-specific regulations for buying and selling sex, such as those aimed at addressing public health concerns. Some proponents of legalization would uphold the criminalization of street sex work. Those who advocate for either decriminalization or legalization understand sex work as dangerous because social stigma and criminal provisions 'drive it underground' (e.g., COYOTE 1998; FIRST/Pivot Legal Society 2010).

Both prohibitionism and decriminalization/legalizations are concerned with eliminating the exploitation of, violence against, and stigma faced by sex workers (or, in the language of the prohibitionists, 'prostituted people'). Both advance well-intended legal frameworks for achieving these objectives. However, Isabel Crowhurst and her colleagues have recently found in their study of European prostitution law and policies that, whatever position on which they are based, they are 'fraught with ambiguities, lacunae and contradictions that are reflected in their implementation (or lack thereof), thus often furthering the vulnerability of individuals operating in the sex industry' (Crowhurst, Outshoorn, and Skilbrei 2012, 187).

Is this growing empirical research suggesting that the area is resistant to effective state intervention? Do central actors participating in this market have strong incentives to deflect policy measures (see Agustín 2008; Pates 2012)? It may be, drawing from Wagenaar and Altink's insights, that as a policy area it is simply 'less developed than more established policy domains such as health, education, social welfare, or the environment' (179). As they write, 'it is the peculiar nature of prostitution and, by implication, prostitution policy that has resulted in the dearth of attention for policy matters in the field of prostitution' (181). Sex work is often shrouded in secrecy, taking place out of public view. It can be exceedingly difficult to acquire basic data concerning sex workers, conditions in which they work, risks they face, social and health services they need, and opportunities they have to exit the trade.

Prostitution laws have typically emerged from a 'top-down' approach, in which policy-makers do not consult with the broader policy community. In Canada, the US and many European countries, there has been little knowledge transfer from individuals directly affected by and in the navigation, implementation, and/or enforcement of relevant criminal laws, health and safety regulations, and licensing, zoning and nuisance bylaws. Not only have the voices and perspectives of sex workers been excluded from these processes, but their knowledge concerning how risks are either exacerbated or mitigated has been neglected. This has resulted in partial understandings of the real-world context in which prostitution laws function. Despite the consistent findings of government-commissioned reports concerning Canada's criminal provisions against prostitution (e.g., Minister of Supply and Services/Solicitor General 1985; Lowman 1989; Federal/Provincial/Territorial Working Group 1998; Canada 2006; Oppal 2012), as well as findings of numerous academic articles and civil society organization reports (e.g., Benoit and Millar 2001; Cler-Cunningham and Christensen 2001; Csete and Cohen 2010; FIRST/Pivot Legal Society 2010; Lazarus et al. 2012; Lowman 2000, 2004; Lowman and Fraser

1995; Pivot Legal Society 2004, 2006; Shannon 2010; Shannon and Csete 2010; Shannon et al. 2008), the federal government has resisted reforming its laws to be more responsive to the experiences and concerns of sex workers. Local actors, however, have been working hard to make these reforms.

Policy change through the courts

In this section of the paper, I bring to the fore the role of sex workers and their allies in amassing evidence and building legal arguments concerning the relationship between criminal laws around prostitution and violence against sex workers. In recent years, former and current sex workers, and organizations representing them, effectively challenged the constitutionality of key sections of the *Criminal Code* relating to adult prostitution. In Vancouver, a very important organization has been Pivot Legal Society – a not-for-profit organization providing legal advocacy for marginalized people in the Downtown Eastside (DTES). In response to the high number of homicide victims among sex workers, characterized as an epidemic of violence, Pivot made safety for sex workers one of its key priorities (Pivot Legal Society 2013b). In the early 2000s, Pivot partnered with former and current sex workers in a campaign for social and legal reforms. The campaign involved systematically amassing evidence with which to challenge prostitution laws. Pivot's Sex Work Law Reform project began with 94 sex workers writing statements about the impact of prostitution laws on their health and safety (Pacey and Bernstein n.d.). The statements were legally sworn, 'forming a body of evidence based on the direct experiences of sex workers and their interactions with the law' and published in Pivot's *Voices for Dignity* report (2004). This report was presented to provincial and federal politicians, including to the House of Commons Standing Committee on Justice and Human Rights, Subcommittee on Solicitation Laws. The majority of members of this subcommittee concluded that existing criminal laws concerning the exchange of sexual services among consenting adults contributed greater harm than good (Canada 2006). Perhaps more importantly for policy change, the report was used as evidence in constitutional challenges of Canada's criminal provisions relating to adult prostitution.

Another important outcome of Pivot's project was relationship building and the organization and mobilization of sex workers in Vancouver. During the project, 'many sex workers developed a strong connection with one another' (Pacey and Bernstein n.d.). In the mid-2000s, a group of them formed a steering committee to establish an organization 'run by and for female street-based sex workers that would carry on the fight for sex workers rights in Canada' (Pacey and Bernstein n.d.). The Downtown Eastside Sex Workers United Against Violence Society was established in 2005 and became a registered nonprofit society in 2007. SWUAV now has a membership of more than 150 sex workers who attend meetings and participate in various projects promoting social and legal reforms to advance sex workers' rights (Pacey and Bernstein n.d.). According to Pivot, the 'Voices for Dignity project has been instrumental to Canada's sex workers' rights movement both by giving voice to the experiences of sex workers in legal and policy spheres, and by inspiring social movement participation' (Pacey and Bernstein n.d.).

Indeed, in 2007, SWUAV and Sheryl Kiselbach launched an important constitutional challenge to Canada's prostitution laws. Drawing from the evidence compiled in *Voices of Dignity*, they sought to argue that sections of the *Criminal Code* relating to bawdy houses, transporting a person to a bawdy house, living on the avails of prostitution, and communicating for the purposes of prostitution were violations of the freedom of expression,

freedom of association, right to life, liberty and security of the person, and equality rights enshrined in the *Canadian Charter of Rights and Freedoms*. Before the courts could decide on this argument, they had to determine whether or not SWUAV and Kiselbach had legal standing, which took several years (Attorney General of Canada 2012). Meanwhile, Terri Jean Bedford, Amy Lebovitch and Valerie Scott, sex workers in Ontario, had launched a similar challenge – a challenge that would make Canadian history. Pivot, SWUAV and PACE became interveners in the *Bedford* case. In December 2013, the Supreme Court of Canada unanimously ruled in favor of Bedford, Lebovitch and Scott that the bawdy house, living on the avails and communication provisions violated the security of person rights of sex workers (Attorney General of Canada 2013). The evidence of sworn testimonies, government reports, civil society organization reports and academic papers presented in *Bedford* very strongly supported the decriminalization of certain activities associated with prostitution.⁴

Sex workers took advantage of the institutional opportunity provided by the *Charter of Rights* to push policy change through the courts. They developed relationships among themselves in order to launch a concerted and focused effort to reform policy. In doing so, they moved from marginalized positions in the attentive public to active and influential positions in the policy process. Ultimately, the federal government determines which actors are involved, and whose interests and perspectives become dominant in formulating the letter of the law for a new legal regime for prostitution. But any new laws must uphold the security of person rights of sex workers, which is a standard established in *Bedford* on the basis of evidence that they provided and arguments that they made.

Policy change from the ground up

I now turn to the local efforts to raise public awareness concerning the violence against women in and from the DTES and the endeavors to make policy changes to end this violence. Vancouver's policy community has grown out of a dynamic context characterized by both extreme violence against women living and working in the DTES and enormous perseverance of them, their friends and families. The DTES is one of Canada's poorest neighborhoods. Many suffer from the adverse effects of social alienation, destitute poverty and colonialism. Women from the DTES have been abused, disappeared and murdered for decades. In the mid-1980s and well into the 1990s, the neighborhood witnessed an exponential increase in violence against sex workers, including serial murder (see Lowman 2000, 2004). John Lowman found that from '1975 to 1979 there were three murders, from 1980 through 1984 there were eight, from 1985 through 1989 there were twenty-two and from 1990 to 1994 there were twenty-four' (2000, 990–991). Between 1995 and 1998, 16 sex workers disappeared from the DTES; by 1999, this number grew to 22 (Lowman 2000, 995–996). As Lowman writes, after 1985, 'the year in which the communicating law was enacted, there was a large increase in British Columbia of murder of women known to prostitute' (2000, 1003).

While the site of great tragedy, the DTES is also a nexus of strength, persistence and organization all of which contributed to effective political mobilization. In response to the violence against women from and in the DTES, members of the local community began organizing to provide support to vulnerable women, as well as grieving families and friends of victims, and to increase social and political awareness. At the forefront was the February 14th Women's Memorial March Committee, which was established after the death of a Coast Salish woman in the heart of the DTES in 1991.⁵ For the last 23 years, this committee has organized an annual march on Valentine's Day to honor and remember

missing and murdered women. The march, now held in cities across Canada, brings together thousands to express grief and anger at failures ‘to protect women from the degradation of poverty and systemic exploitation, abuse and violence’ (Women’s Memorial March 2012). Over the years, the march has contributed to increasing the visibility of issues related to missing and murdered women, including biases within local and neighboring police forces and judicial system that impeded a timely search for them and investigation of their disappearance. The persistent activity by family members of missing and murdered women, the Memorial March Committee, and organizations allied with it fed directly into awareness among City officials, provincial politicians and police departments about the need to take this violence seriously. Their persistence contributed to a political climate conducive to policy change.

At the end of the lengthy trial of Robert William Pickton, the Attorney General of the province announced the British Columbia Missing Women Commission of Inquiry. In 2002, Pickton was charged with murdering women who had been based in the DTES; by 2005, he was charged with murdering 27 women. In 2007, he was found guilty of murdering six women and sentenced to life without parole for 25 years.⁶ In 2010, the Supreme Court of Canada rejected his appeal. Announced just after the Court’s ruling, the Inquiry would be chaired by Wally Oppal, a former Attorney General of BC, to engage in fact finding with respect to police activities and investigations concerning women who were reported missing from the DTES between January 1997 and February 2002. Oppal was also given responsibility for fact finding with respect to the decision of the Criminal Justice Branch of the BC Department of Justice in January 1998 to enter a stay of proceedings against Pickton after he had been arrested for attempted murder, unlawful confinement and aggravated assault in 1997.

In December 2012, Oppal released his report, which concluded that the ‘retrenchment of social assistance programs, the ongoing effects of colonialism, and the criminal regulation of prostitution and related law enforcement strategies’ combined to marginalize women in the DTES (Oppal 2012, Vol. III, 12). Although academic articles, government reports and sworn testimonies had been substantiating such claims for many years, Oppal acknowledged ‘a clear correlation between law enforcement strategies of displacement and containment’ and increased violence (Vol. I, 110). In his words, this ‘tenuous status was reinforced by police failings that further discounted and discarded the women’ (Oppal 2012, Vol. III, 12). Oppal identifies multiple ‘critical,’ ‘colossal’ and ‘complete’ failures on the part of the police to adequately respond to this crisis of missing and murdered women (Vols. IIa and IIb). While widely criticized (and boycotted) for reasons related to both the procedures by which it was produced and the substance of its findings and recommendations (see Family of Dianne Rock et al. 2011; Coalition for Missing and Murdered Aboriginal Women and Girls 2013), the Commission’s report bolstered arguments that criminal provisions concerning adult prostitution exacerbate and perpetuate violence against sex workers.

The community organization and mobilization raised awareness about the enormous violence against women in the DTES, including those who participated or participate in sex work. In turn, this awareness, along with a growing body of evidence concerning risks of violence being exacerbated by criminal laws and containment policies, as well as the Inquiry’s proceedings and pending report, contributed to a political context in Vancouver conducive to policy change in the implementation and enforcement of prostitution laws. The Inquiry, and the likelihood that it would expose police failures, may have directly prompted the City and VPD to seek changes in their relationships with the community of women in the DTES, including sex workers. The prescience of a damning report may

have spurred these state actors to take concrete steps toward producing effective strategies to minimize the risks of violence against women in the neighborhood. These actors were able to converge on a framework for a solution comprising principles of harm reduction, which had in previous years been effectively applied to curb fatal injection drug overdoses. Finding common ground in the framework of harm reduction, sex workers, ally organizations, the City and VPD were able to focus on specific initiatives.

Moments of agonism and implications for policy implementation

In this section, I discuss how agonistic relationships within this policy community yielded important changes, which include harm reduction initiatives in the implementation of prostitution laws. For example, an important output of this kind of relationship is the VPD's Sex Industry Liaison Officer. This position came out of a long struggle, led by PACE. PACE was established in 1994 in recognition that certain support services for sex workers would be best offered by current and former sex workers. Those who founded PACE 'were committing to eliminating the conditions of rape, mutilation, assault, and death' (Raven Bowen in Cler-Cunningham & Christensen 2001, i). 'By, with, and for sex workers,' PACE was established to promote 'safer working conditions by reducing harm and isolation through education and support' and to advocate for the human rights of sex workers (PACE 2014). Toward these ends, PACE conducted one of the earliest studies of the impact of criminal laws on sex workers in Vancouver (see Cler-Cunningham & Christensen 2001). According to Cler-Cunningham and Christensen, the original Crown Counsel with the Provincial Prostitution Unit developed a draft proposal for the liaison position (2001, 90). Together with other organizations such as Justice for Girls, Women Against Violence Against Women and the Downtown Eastside Women's Centre, as well as individuals from the BC Sexual Assault Center, PACE further developed this proposal (Cler-Cunningham & Christensen 2001). In December 2000, PACE was invited to present the proposal to the VPD. Up to 60 sex workers and their allies showed up to the meeting. The VPD refused entry to most of them and demanded to see photo ID, which 'effectively barred the street-level sex workers from the DTES who had helped develop the proposal from attending' (Cler-Cunningham & Christensen 2001, 91). Only after the intervention of a Vancouver City Councilor were ten women allowed to attend the meeting (Cler-Cunningham & Christensen 2001). At the time, the VPD response was that they would not create the position (Cler-Cunningham & Christensen 2001, 94). After a long struggle for a dedicated officer to follow up on violence against sex workers, the position was finally established in 2008. As Raven Bowen writes (2014, personal correspondence with author (email), 20 June), 'today, sex workers benefit from the VPD Sex Industry Liaison Officer position ..., but we must acknowledge what it took to get it'.

Another initiative is the VPD's *Sex Work Enforcement Guidelines*, which may be unique in North America. These guidelines emerged from a long process, which in recent years involved collaboration with Pivot, Women's Information and Safe House (WISH), BC Coalition of Experiential Communities, Peers Vancouver Resource Society and PACE. The *Guidelines* appear to be based on recognition of the reality in which enforcement takes place. As they state, the police are obligated to enforce the laws of the country but they have 'considerable discretion' (VPD 2013, 2). Basic principles to guide enforcement include ensuring the safety, respect, dignity, and well-being of sex workers and maintaining proportionality between the risk of a situation and its enforcement response. The *Guidelines* explicitly state that sex work 'involving consenting adults is not an enforcement priority' (VPD 2013, 4). Rather, enforcement is to take place 'in

situations deemed “high risk” due to the involvement of sexually exploited children/youth, gangs/organized crime, exploitation, sexual abuse, violence, and human trafficking’ (VPD 2013, 3). They also make clear that ‘police calls regarding violence against sex workers are a priority for assessment and response’ (VPD 2013, 5). According to Katrina Pacey, Pivot lawyer and SWUAV counsel, this ‘policy represents a very important shift in policing priorities’ (Pivot Legal Society 2013a).

Despite their collaboration in producing these *Guidelines*, members of the sex worker community have been deeply skeptical that they will better ensure their safety. Thus in the early new year of 2013, SWUAV and Pivot launched an initiative to inform sex workers about the *Guidelines* and encourage the reporting of police misconduct. This initiative takes the form of a ‘Know Your Rights’ card that explains how the *Guidelines* require VPD officers to prioritize the safety of sex workers over the enforcement of prostitution laws (Pivot Legal Society 2013a). The card encourages sex workers to contact either local organizations that they trust or the Office of the Police Complaints Commissioner to file a formal police complaint ‘if they are harassed, targeted, intimidated, followed, told to move along, or arrested by police for prostitution-related offences’ (Pivot Legal Society 2013a). As DJ Joe, co-founder of SWUAV, states, ‘Our hope is that by educating sex workers about the policy and the process for making a police complaint, we are sending a message that we are watching the police and, if we need to, we will take action to hold them to account’ (Pivot Legal Society 2013a).

So far, the *Guidelines* have had very mixed results. According to Krüsi et al. (2014), the police have over a number of years ‘eased charging or arresting sex workers and showed increased concern for their safety’ (4). Their study also found that the vast majority of sex workers they interviewed, ‘regardless of gender, ethnicity and primary place of solicitation, reported that their interactions with police when soliciting sex work clients are more positive and generally focus on their safety’ (Krüsi et al. 2014, 4). More critically, however, they found that, ‘the continued policy enforcement of clients severely limited any positive impact of this change on their overall working conditions, risks for violence, abuse, or negotiation of sexual risk reduction with clients’ (Krüsi et al. 2014, 4).

Another example of agonistic collaboration between local organizations and the VPD is the SisterWatch program – a program that also emerged from collaboration with women serving organizations including Battered Women’s Support Services, Aboriginal Front Door and the Women’s Memorial March Committee (VPD, under SisterWatch). This program came into existence after the death of a young woman who, it is suspected, had been pushed from the window of a single room occupancy hotel in the DTES in 2010. In outrage, women from the DTES, their families and supporters protested the apparent failures of the VPD to adequately investigate the tragic incident. They occupied VPD headquarters, which at the time was located in the DTES. The VPD responded by developing with these organizations a program to combat violence against women in the DTES and improve safety in the neighborhood through ‘an enhanced police and community response service’ (VPD, under SisterWatch).

The program has involved installing emergency phones at strategic locations in the neighborhood and implementing changes to how frontline emergency responders communicate with and treat victims of violence. The program involves a tip-line, staffed by ‘civilian women who are trained professionals in assisting callers who may be distraught, nervous or afraid’ (VPD, under SisterWatch). The VPD sponsors regular SisterWatch town hall meetings to share information and to encourage residents to articulate their concerns. Finally, there is a SisterWatch website for sharing news related to the project and insights from women in the neighborhood. Although criticized for being ineffective

(Reid 2011), SisterWatch is another example of a local initiative being developed by a policy community consisting of state actors and nontraditional nonstate actors that draw directly from experiential knowledge of day-to-day activities within a specific context.

Local organizing also prompted the City of Vancouver to formulate an action plan and task force to prevent the sexual exploitation of youth and protect vulnerable women and communities affected by sex work. In particular, the City was responsive to the Living in Community project. This project grew out of local concerns in the early 2000s that policies serving to maintain street-based sex work in the DTES were contributing to the vulnerability of sex workers. Motivated by a recognition that change was needed to address issues underlying sex work, 'resident groups, business improvement associations, community policing centres, and neighbourhood houses' formed a coalition that included sex workers and advocacy and support organizations (Gibson and Goldstein 2007, 9). In 2004, they formed a steering committee, which now includes representation from BC Coalition of Experiential Communities, City of Vancouver, Hastings North Business Improvement Association, Hustle Men on the Move, PACE, sex workers, Supporting Women's Alternatives Network, Vancouver residents, Vancouver Coastal Health, VPD and WISH Drop-In Centre Society (Living in Community n.d.). Its advisory committee includes participation of the Ministry of Justice and Ministry of Social Development and Social Innovation. During its first year, Living in Community developed a set of draft recommendations, which was the focus of an extensive community consultation process consisting of neighborhood dialogues, focus groups and an online survey held throughout the fall and winter of 2006–7. This process resulted in an action plan of recommendations to make communities healthier and safer through prevention/education, harm reduction/intervention, exiting services and legal responses (Gibson and Goldstein 2007, 5).

The City would eventually respond by developing plans similar to those recommended by Living in Community, which were passed by the City Council in September 2011 (City of Vancouver 2011). Similar to the approach taken by Living in Community, the plans were shaped by input from a diverse range of stakeholders. The plans are based on an understanding that success is 'highly dependent upon the cooperation of all partners, including all levels of government, community and research stakeholders from across Vancouver and across the Metro region' (City of Vancouver 2011, 2). They outline principles of 'enhancing prevention and awareness, supporting health and safety, investing in services and supports, including opportunities to exit sex work, and improving alignment with the City's regulatory objectives' (City of Vancouver 2011). They also articulate specific action-oriented directives to promote awareness, safety and health of sex workers and individuals vulnerable to sexual exploitation.

The first of these was to establish a task force of community organizations, researchers and government to implement the plans (City of Vancouver 2011, under Appendix C). Comprised of committees focusing on youth, housing, training and awareness, services and support and bylaws, the task force was involved with the development and reform of programs for improved social housing, medical services, employment and education.⁷ Examples of specific endeavors include overseeing the (1) enhancement of 'training, development, and information-sharing opportunities for frontline City staff and external government and non government stakeholders'; (2) achievement of social housing goals and improvement of the 'quality of existing services for the homeless, sex workers, youth, and adults who are exiting'; (3) 'interdepartmental coordination to enhance monitoring, information sharing, and enforcement action ... where there are safety concerns and potential harm to sex workers, and/or where trafficking/exploitation may be taking place'; (4) development of a 'supported employment program' that includes individuals

exiting sex work; and (5) strengthening of the License Bylaw in order ‘to better protect the safety and security of sex workers at premises where there is potential for safety risks, human trafficking/exploitation’ (City of Vancouver 2011). In addition, the task force oversaw the City’s efforts to pressure the provincial and federal government to reinstate ‘funding for community based partnerships to respond to sexual exploitation and sex work,’ childcare programs for Indigenous people, peer-based life skills programs for First Nations individuals and a 24-hour shelter for sex workers.⁸

Another vital component of this policy community is support organizations for sex workers. These organizations make direct contributions to improving the health and safety of sex workers and mitigating the harmful effects of their criminalization. A very important organization is the WISH Drop-In Centre Society, which provides basic services to street-involved sex workers (WISH n.d.a). These basics include hot meals, showers, personal care items, clothing, referrals to programs, basic educational programs, access to nursing care, caring staff and volunteers, and a place to relax with women who share their experiences. In addition, WISH in partnership with PACE operates the Mobile Access Project (MAP) (WISH n.d.b, under programs and services). This program operates out of a van, which provides services to women working on the street from 10:30 pm to 6:00 am. The MAP van is staffed by women, many of whom have experience in the sex industry. They provide a brief respite to sex workers from the street, as well as condoms and clean needles. They also provide information concerning services specific to the needs of street-involved sex workers and referrals to shelters and emergency services. In the process, they learn about the sex workers on particular strolls, their concerns and needs. Providing essential services to sex workers, and learning about their living and working conditions, MAP staff play an important role in this policy area. They represent a prime example of the relational dynamics in the generation of local knowledge, which is relevant to formulating and implementing prostitution laws.

Another such example is WISH’s Peer Safety Patrol in the DTES (WISH n.d.c, under programs and services). Peer Safety Patrollers are trained in introductory first aid, report taking, incident reporting, professional and personal self-care, de-escalation, safe handling of hazardous materials, violence prevention techniques, communication skills and self-defense. This training is a source of empowerment for sex workers acting as peer patrollers. In turn, the patrollers develop and expand their experiential knowledge base about the risks that sex workers face and practices aimed minimizing those risks. While reaching out to sex workers patrollers learn about them and the concerns they may have.

The Sex Industry Liaison Officer, SisterWatch, MAP, Peer Safety Patrol and endeavors by the City are ground-level initiatives geared toward minimizing harms. They provide some assurance that the implementation of prostitution laws takes place in a way that prioritizes the safety of sex workers and in a context in which sex workers have access to basic support and health services. Individuals involved in staffing these programs are important actors in terms of not only policy implementation but also evaluation. They facilitate another portal into understanding how laws can have harmful implications and how they should be reformed.

Conclusion

The governance of sex work spans a complex set of relationships among laws, policies, practices and actors. The policy community metaphor and model is helpful in making sense of this complexity. In addition to capturing a broad diversity of actors, it enables us to focus on relational dynamics forged in day-to-day activities that bring these actors

together, sometimes antagonistically, sometimes agonistically. With respect to conceptual implications, this study suggests that policy communities characterized by deep division and distrust can become more agonistic in certain conditions. These include the experience or observation of catalyst events, public awareness, overwhelming evidence and convergence on a solution framework.

The community organizing and mobilization that has taken place in Vancouver's DTES raised awareness about the enormous violence against vulnerable women, many of whom participated or participate in sex work. In turn, this awareness gave rise to a local movement seeking policy change through the courts, which contributed to establishing a legal standard for new prostitution laws in Canada. It also contributed to a political context in which policy change could transpire at ground level. Productive relations among policy actors could not have yielded specific initiatives without their convergence on principles for harm reduction. Harm reduction had become an accepted response to injection drug use in the DTES; the City, VPD, sex worker organizations and ally organizations were able to apply this framework in developing specific responses to harms faced by sex workers. By tracing their origins, we see that these initiatives were driven by historically marginalized actors who became active members of the local policy community. We also see that these actors continue to keep a critical check on the formulation, implementation, and enforcement of the guidelines, policies and laws that govern sex work.

Finally, the case reveals the dispersed nature of policy-relevant activities and knowledge. It demonstrates the fundamental connection between the laws of the land and practices at the local level, as well as the importance of drawing knowledge from the lived experiences of those directly affected by these laws. Ultimately, the case reveals how sex workers have transformed themselves from objects of policy to subjects pushing for policy change by organizing, mobilizing, and taking advantage of institutional, judicial and political opportunities.

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Notes on contributor

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Notes

1. 'Sex work' and 'sex workers' are terms generally preferred by those who engage or have engaged in consensual commercial sex. Many who work or have worked in the area find 'prostitute' and 'prostituted' to be offensive. In this paper, sex worker refers to consenting adults who provide sexual services in exchange for money. Sex work is a broad term that includes a diversity of both contact and noncontact sexual services. Here, I use it to refer only to contact sexual services. I use 'prostitution' when specifically discussing laws in order to maintain consistency with the language of legislative and judicial actors.
2. For exceptions, see Laura Agustín (2008); Isabel Crowhurst (2012); Jane Scoular and Maggie O'Neill (2007); Barbara Sullivan (2010); Hendrik Wagenaar (2006); Ronald Weitzer (2011).
3. Since the early to mid-2000s, the City of Vancouver, the VPD and local civil society organizations have extensive experience with harm reduction in the area of drug policy. See <http://vancouver.ca/people-programs/four-pillars-drug-strategy.aspx>, accessed 9 December 2013. See also <http://supervisedinjection.vch.ca/>.
4. Conversely, the arguments against striking down the impugned provisions were unconvincing. See *Bedford v. Canada (Attorney General)* (2010). See also *Canada (Attorney General) v. Bedford* (2012) and *Canada (Attorney General) v. Bedford* (2013). See also *Factum of Respondents/Appellants on Cross Appeal, Terri Jean Bedford et al.*, Attorney General of Canada (2013) and *Factum of the Interveners, Downtown Eastside Sexworkers United Against Violence Society, PACE Society and Pivot Legal Society*, Attorney General of Canada (2013).
5. According to Arthur, Davis and Shannon, 'the march's organizing committee, which is a mix of Aboriginal and non-Aboriginal women, does not identify the missing women as former sex workers because it believes that sex work is foreign to Aboriginal cultures and a harmful effect of colonialization' (2013, 134).
6. The remaining charges were officially stayed.
7. The task force concluded its work in December 2013. The City of Vancouver is currently overseeing the implementation of these plans.
8. The BC Government recently announced over \$5 million in grants to take further action on the Missing Women Commission of Inquiry recommendations and support the prevention of violence against women and youth crime prevention initiatives. These include a \$100,000 grant to PACE 'to expand its frontline services by adding an Aboriginal-led outreach team to support sex trade workers of Aboriginal ancestry in Vancouver's Downtown Eastside' and a \$100,000 grant to Living in Community 'to facilitate the implementation of the Living In Community collaborative model in other communities and deliver education and awareness workshops.' See <http://www.newsroom.gov.bc.ca/2014/03/over-5-million-to-fund-mwci-recommendations.html>, accessed 22 April 2014.

References

- Abel, G., B. Adam, A. Aggarwal, L. Agustin, A. Ahmed, M. Alary, and S. Allan. 2014. "Open Letter Re: Evidence-Based Call for Decriminalization of Sex Work in Canada and Opposition to Criminalizing the Purchasing of Sex." March 27.
- Agustín, L. 2008. "Sex and the Limits of Enlightenment: The Irrationality of Legal Regimes to Control Prostitution." *Sexuality Research and Social Policy* 5 (4): 73–86. doi:10.1525/srsp.2008.5.4.73.
- Ansell, C., and A. Gash. 2008. "Collaborative Governance in Theory and Practice." *Journal of Public Administration Research and Theory* 18 (14): 543–571.
- Arthur, J., S. Davis, and E. Shannon. 2013. "Overcoming Challenges: Vancouver's Sex Worker Movement." In *Selling Sex: Experience, Advocacy, and Research on Sex Work in Canada*, edited by E. van der Meulen, E. M. Durisin, and V. Love. Vancouver: University of British Columbia Press.
- Atkinson, M., and W. Coleman. 1989. *The State, Business, and Industrial Change in Canada*. Toronto: University of Toronto Press.
- Atkinson, M., and W. Coleman. 1992. "Policy Networks, Policy Communities, and the Problems of Governance." *Governance: An International Journal of Policy and Administration* 5 (2): 154–180. doi:10.1111/j.1468-0491.1992.tb00034.x.

- Bedford v. Canada (Attorney General). 2010. ONSC 4262, September 28, 2010.
- Benedet, J. 2008. "Paradigms of Prostitution: Revisiting the Prostitution Reference." In *Justice Bertha Wilson: One Woman's Difference*, edited by K. Brooks. Vancouver: University of British Columbia Press.
- Benoit, C., and A. Millar. 2001. *Dispelling Myths and Understand Realities: Working Condition, Health Status, and Exit Experiences of Sex Workers*. Victoria: PEERS.
- Canada (Attorney General) v. Bedford. 2012. ONCA 186, March 26, 2012.
- Canada (Attorney General) v. Bedford. 2013. SCC 72, December 20, 2013.
- Canada (Attorney General) v. Downtown Eastside Sex Workers United Against Violence Society. 2012. SCC 45, [2012] 2, S.C.R. 524.
- Canada. Parliament, House of Commons. Standing Committee on Justice and Human Rights Hanger, A., and J. D. Maloney. 2006. *The Challenge of Change: A Study of Canada's Criminal Prostitution Laws: Report of the Standing Committee on Justice and Human Rights [and] Report of the Subcommittee on Solicitation Laws*. Ottawa, ON: Communication Canada—Publishing.
- Chu, S., and R. Glass. 2013. "Sex Work Law Reform in Canada: Considering Problems with the Nordic Model." *Alberta Law Review* 51: 101–124.
- City of Vancouver. 2011. *Preventing Sexual Exploitation and Protecting Vulnerable Adults & Neighbourhoods Affected by Sex Work*. Appendix C. September. Vancouver: City of Vancouver.
- Cler-Cunningham, L., and C. Christensen. 2001. *Violence Against Women in Vancouver's Street Level Sex Trade and the Police Response*. Vancouver: PACE Society.
- Coalition for Missing and Murdered Aboriginal Women and Girls. 2013. *Letter to Special Rapporteur Dr. James Anaya*. Vancouver, October 10, 2013.
- Coleman, W., and G. Skogstad, eds. 1990. *Policy Communities and Public Policy in Canada*. Toronto: Copp Clark Pitman.
- Coleman, W., G. Skogstad, and M. Atkinson. 1996. "Paradigm Shifts and Policy Networks: Cumulative Change in Agriculture." *Journal of Public Policy* 16 (3): 273–301. doi:10.1017/S0143814X00007777.
- COYOTE. 1998. "COYOTE/National Task Force on Prostitution." In *Sex Work: Writings by Women in the Sex Industry*, edited by F. Delacoste and P. Alexander, 290–296. San Francisco, CA: Cleis Press.
- Crowhurst, I. 2012. "Approaches to the Regulation and Governance of Prostitution in Contemporary Italy." *Sexuality Research and Social Policy* 9: 223–232. doi:10.1007/s13178-012-0094-1.
- Crowhurst, I., J. Outshoorn, and M. L. Skilbrei. 2012. "Introduction: Prostitution Policies in Europe." *Sexuality Research and Social Policy* 9 (3): 187–191.
- Csete, J., and J. Cohen. 2010. "Health Benefits of Legal Services for Criminalized Populations: The Case of People Who Use Drugs, Sex Workers and Sexual and Gender Minorities." *The Journal of Law, Medicine & Ethics* 38: 816–831. doi:10.1111/j.1748-720X.2010.00535.x.
- Dodillet, S., and P. Östergren. 2011. "The Swedish Sex Purchase Act: Claimed Success and Documented Effects." Conference paper presented at the International Workshop: Decriminalizing Prostitution and Beyond: Practical Experiences and Challenges, The Hague, March 3 – 4.
- Ekberg, G. 2004. "The Swedish Law That Prohibits the Purchase of Sexual Services: Best Practices for Prevention of Prostitution and Trafficking in Human Beings." *Violence against Women* 10: 1187–1218. doi:10.1177/1077801204268647.
- Family of Dianne Rock et al. 2011. "Joint Letter to Premier Christy Clark Regarding Missing Women Commission of Inquiry." Vancouver, September 28.
- 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. doi:10.1177/1077801204268607.
- Farley, M. 2006. "Prostitution, Trafficking, and Cultural Amnesia: What We Must Not Know in Order to Keep the Business of Sexual Exploitation Running Smoothly." *Yale Journal of Law and Feminism* 18: 109–143.
- Farley, M. 2007. *Prostitution and Trafficking in Nevada: Making the Connections*. San Francisco, CA: Prostitution Research Center.
- Federal/Provincial/Territorial Working Group. 1998. *Report and Recommendations in respect of Legislation, Policy and Practices Concerning Prostitution-Related Activities*. Ottawa, ON: Federal/Provincial/Territorial Working Group.

- FIRST/Pivot Legal Society. 2010. *Out of the Shadows: Why Canada Must Decriminalize Consensual, Adult Sex Work*. Vancouver, BC: FIRST/Pivot Legal Society.
- Fischer, F. 2003. *Reframing Public Policy: Discursive Politics and Deliberative Practices*. New York: Oxford University Press.
- Gibson, L., and T. Goldstein. 2007. *Living in Community: Balancing Perspectives on Vancouver's Sex Industry*. Vancouver, BC: Living in Community.
- Hajer, M. 1996. "Discourse Coalitions and the Institutionalization of Practice: The Case of Acid Rain in Great Britain." In *The Argumentative Turn in Policy Analysis and Planning*, edited by F. Fischer and J. Forester, 43–76. Durham, NC: Duke University Press.
- Hecl, H. 1978. "Issue Networks and the Executive Establishment." *The American Political System*, edited by A. King. Washington, DC: American Enterprise Institute.
- Howlett, M., M. Ramesh, and A. Perl. 2009. *Studying Public Policy: Policy Cycles and Policy Subsystems*. Oxford: Oxford University Press.
- Innes, J. E., and D. E. Booher. 2010. *Planning with Complexity: An Introduction to Collaborative Rationality for Public Policy*. Abingdon: Routledge.
- Johnston, L. 2011. "The Myths of Bedford v. Canada: Why Decriminalizing Prostitution Won't Help." *The F Word: Feminist Media Collective*, Accessed August 7. <http://www.feminisms.org/3265/the-myths-of-bedford-v-canada-why-decriminalizing-prostitution-won%E2%80%99t-help/>.
- Jordan, A. 1981. "Iron Triangles, Woolly Corporatism and Elastic Nets: Images of the Policy Process." *Journal of Public Policy* 1: 95–123. doi:10.1017/S0143814X00001379.
- Kines, L. 1998. "Missing Women Cases Probed." *Vancouver Sun*, September 18, B1.
- Krüsi, A., K. Pacey, L. Bird, C. Taylor, J. Chettiar, S. Allan, D. Bennet, J. S. Montaner, T. Kerr, and K. Shannon. 2014. "Criminalisation of Clients: Reproducing Vulnerabilities for Violence and Poor Health among Street-Based Sex Workers in Canada – A Qualitative Study." *British Medical Journal Open* June: 1–10.
- Laumann, E., and D. Knoke. 1987. *The Organizational State*. Madison: University of Wisconsin Press.
- Lazarus, L., K. N. Deering, R. Nabess, K. Gibson, M. W. Tyndall, and K. Shannon. 2012. "Occupational Stigma as a Primary Barrier to Health Care for Street-Based Sex Workers in Canada." *Culture, Health & Sexuality* 14: 139–150. doi:10.1080/13691058.2011.628411.
- Living in Community. n.d. *Balancing Perspectives on Vancouver's Sex Industry*, pamphlet. Vancouver, BC: Living in Community.
- Lowman, J. 1989. *Street Prostitution: Assessing the Impact of the Law, Vancouver*. Ottawa, ON: Department of Justice.
- Lowman, J. 2000. "Violence and the Outlaw Status of (Street) Prostitution in Canada." *Violence Against Women* 6 (9): 987–1011. doi:10.1177/10778010022182245.
- Lowman, J. 2004. "Reconvening the Federal Committee on Prostitution Law Reform." *Canadian Medical Association Journal* 171 (2): 147–148. doi:10.1503/cmaj.1040781.
- Lowman, J., and L. Fraser. 1995. *Violence against Persons who Prostitute: The Experience in British Columbia*. Ottawa, ON: Department of Justice.
- Mackinnon, C. 2011. "Trafficking, Prostitution, and Inequality." *Harvard Civil Rights-Civil Liberties Law Review* 46: 272–309.
- Marsh, D., and R. Rhodes, eds. 1992a. *Policy Networks in British Government*. Oxford: Clarendon Press.
- Marsh, D., and R. Rhodes, eds. 1992b. "Policy Communities and Issue Networks: Beyond Typology." In *Policy Networks in British Government*. Oxford: Clarendon Press.
- Minister of Supply and Services/Solicitor General. 1985. *Pornography and Prostitution in Canada: Report of the Special Committee on Pornography and Prostitution: Summary*. Ottawa: Government of Canada.
- Native Women's Association of Canada (NWAC). 2012a. "Native Women's Association of Canada Opposes Bedford Prostitution Decision." Press Release.
- Native Women's Association of Canada (NWAC). 2012b. "Understanding NWAC's Position on Prostitution." Ottawa, ON, November.
- Norwegian Ministry of Justice and the Police, Working Group on the Legal Regulation of the Purchase of Sexual Services. 2004. *Purchasing Sexual Services in Sweden and the Netherlands: Legal Regulation and Experiences*. Oslo: Norwegian Ministry of Justice.
- Oppal, W. 2012. *Forsaken: The Report of the Missing Women Commission of Inquiry*. Executive Summary, Volume I, IIa, IIb, and III. Vancouver, BC: Missing Women Commission of Inquiry.

- Outshoorn, J., ed. 2004. *The Politics of Prostitution: Women's Movements, Democratic States, and the Globalisation of Sex Commerce*. New York: Cambridge University Press.
- PACE. 2014. *Mission and History*. Accessed October 18. <http://www.pace-society.org/about-us/mission-history/>
- Pacey, K., and S. Bernstein. n.d. "My Work Shouldn't Cost My Life." Poster presented at Sex Workers United Against Violence v. The Government of Canada, Vancouver, BC.
- Pates, R. 2012. "Liberal Laws Juxtaposed with Rigid Control: An Analysis of the Logics of Governing Sex Work in Germany." *Sexuality Research and Social Policy* 9: 212–222.
- Pivot Legal Society. 2004. *Voices for Dignity: A Call to End the Harms Caused by Canada's Sex Trade Laws*. Vancouver, BC: Pivot Legal Society.
- Pivot Legal Society. 2006. *Beyond Decriminalization: Sex Work, Human Rights, and a New Framework for Law Reform*. Vancouver, BC: Pivot Legal Society.
- Pivot Legal Society. 2013a. "Vancouver Sex Workers Release 'Know Your Rights' Card." Vancouver, BC, January.
- Pivot Legal Society. 2013b. "Voices for Dignity (long version)." Video. Vancouver, BC, December. <https://www.youtube.com/watch?v=fvKAVR75vMU&feature=youtu.be>.
- Pross, P. 1986. *Group Politics and the Policy Process*. Toronto: Oxford University Press.
- Reid, L. A. 2011. *Improving the Quality of Life for Street Level Sex Workers: A Case Study of their Experiences with Stigma in the Downtown Eastside*. Project Submitted in Partial Fulfillment of the Requirements for the Degree of Masters of Public Policy, Public Policy Program. Vancouver, BC: Simon Fraser University.
- Sabatier, P. 1987. "Knowledge, Policy-Oriented Learning, and Policy Change: An Advocacy Coalition Framework." *Knowledge, Creation, Diffusion, Utilization* 8: 648–692.
- Sabatier, P., and H. Jenkins-Smith, eds. 1993. *Policy Change and Learning: An Advocacy Coalition Approach*. Boulder, CO: Westview.
- Scoular, J. 2010. What's Law got to do with it? How and Why Law Matters in the Regulation of Sex Work. *Journal of Law and Social Policy* 37 (1): 12–39.
- Scoular, J., and M. O'Neill. 2007. "Regulating Prostitution: Social Inclusion, Responsibilization, and the Politics of Prostitution Reform." *British Journal of Criminology* 47: 764–778. doi:10.1093/bjc/azm014.
- Shannon, K. 2010. "The Hypocrisy of Canada's Prostitution Legislation." *Canadian Medical Association Journal* 182: 1388. doi:10.1503/cmaj.100410.
- Shannon, K., and J. Csete. 2010. "Violence, Condom Negotiation and HIV/STI Risk among Sex Workers." *Journal of the American Medical Association* 304: 573–574. doi:10.1001/jama.2010.1090.
- Shannon, K., T. Kerr, S. Allinott, J. Chettiar, J. Shoveller, and M. W. Tyndall. 2008. "Social and Structural Violence and Power Relations in Mitigating HIV Risk of Drug-Using Women in Survival Sex Work." *Social Science & Medicine* 66: 911–921. doi:10.1016/j.socscimed.2007.11.008.
- Shannon, K., T. Kerr, S. A. Strathdee, J. Shoveller, J. S. Montaner, and M. W. Tyndall. 2009. "Prevalence and Structural Correlates of Gender Based Violence among a Prospective Cohort of Female Sex Workers." *British Medical Journal* 339: b2939–b2939. doi:10.1136/bmj.b2939.
- Shannon, K., S. A. Strathdee, J. Shoveller, M. Rusch, T. Kerr, and M. W. Tyndall. 2009. "Structural and Environmental Barriers to Condom Use Negotiation with Clients among Female Sex Workers: Implications for HIV-Prevention Strategies and Policy." *American Journal of Public Health* 99: 659–665. doi:10.2105/AJPH.2007.129858.
- Skilbrei, M. L., and C. Holmström. 2013. *Prostitution Policy in the Nordic Region: Ambiguous Sympathies*. Burlington, VT: Ashgate.
- Skogstad, G. 2008. Policy Networks and Policy Communities: Conceptualizing State-Societal Relationships in the Policy Process. In *The Comparative Turn in Canadian Political Science*, edited by L. White et al. Vancouver: University of British Columbia Press.
- Stone, D. 2008. Global Public Policy, Transnational Policy Communities, and their Networks. *Policy Studies Journal* 36 (1): 19–38.
- Sullivan, B. 2010. "When (Some) Prostitution is Legal: The Impact of Law Reform on Sex Work in Australia." *Journal of Law and Society* 37: 85–104. doi:10.1111/j.1467-6478.2010.00496.x.
- Vancouver Police Department. 2013. *Sex Work Enforcement Guidelines*. Vancouver: VPD, January.
- Vancouver Police Department. n.d. Accessed December 7, 2013. <http://vancouver.ca/police/organization/investigation/investigative-services/major-crime/sister-watch.html>

- Wagenaar, H. 2006. "Democracy and Prostitution: Deliberating the Legalization of Brothels in The Netherlands." *Administration and Society* 38 (2): 198–235. doi:10.1177/0095399705285991.
- Wagenaar, H., and S. Altink. 2012. "Prostitution as Morality Politics or Why it is Exceedingly Difficult to Design and Sustain Effective Prostitution Policy." *Sexuality Research and Social Policy* 9 (3): 279–292. doi:10.1007/s13178-012-0095-0.
- Weitzer, R. 2011. *Legalizing Prostitution: From Illicit Vice to Lawful Business*. New York: New York University Press.
- WISH Drop In Centre Society. n.d.a. Accessed December 9, 2013. <http://wish-vancouver.net/>
- WISH Drop In Centre Society. n.d.b. Accessed December 9, 2013. <http://wish-vancouver.net/programs-and-services/mobile-access-project-map/>
- WISH Drop In Centre Society. n.d.c. Accessed December 9, 2013. <http://wish-vancouver.net/programs-and-services/peer-safety-patrol/>
- Women's Memorial March. 2012. *Media release: The spirit lives within us*. Vancouver, February. <http://womensmemorialmarch.wordpress.com/>
- World Health Organization. 2012. *Prevention and Treatment of HIV and Other STIs for Sex Workers in Low and Middle Income Countries: Recommendations for a Public Health Approach*. Geneva: World Health Organization.