

## ***VIOLENCE AND THE OUTLAW STATUS OF (STREET) PROSTITUTION IN CANADA***

John Lowman

*Violence Against Women*, Volume 6, Number 9, September 2000, pp. 987-1011

The 1996 Canadian Centre for Justice Statistics report on *Homicide in Canada* noted that, "Some occupations involve more personal risk to personal safety than others" (Fedorowycz, 1996). Two police officers were victims of homicide in 1995, compared with one in 1994, two in 1993 and one in 1992, and: "For the eleventh consecutive year, no federal or provincial correctional worker was a victim of homicide in the line of duty." The report then singles out two other categories of "high risk" work: taxi driving and prostitution. From 1992 through 1995, eighteen taxi drivers were murdered during the course of their work, as compared to thirty-nine prostitutes (nine in 1995, sixteen in 1994, nine in 1993 and five in 1992). An earlier Canadian Center for Justice Statistics publication reported that 22 prostitutes were murdered during the course of their work in 1991 and 1992 (Wolff & Geissel, 1993), thereby bringing the total to fifty-six from 1991 to 1995.

Fedorowycz' figure differs from another Canadian Centre for Justice Statistics publication on prostitution. Duchesne (1997) reports that from 1993-1995 there were 41 murders. The difference occurs because Duchesne includes all murders of prostitutes whereas Fedorowycz includes only the murders that occurred while the victim was working (see Table 1; Fedorowycz' reference to "prostitutes killed while applying their trade" excludes "drug-related" murders and "others," such as "lover's quarrels").

The most recent *Homicide in Canada* (Fedorowycz, 1998) reports that in 1996 ten more prostitutes were murdered while applying their trade, and 6 in 1997. Fedorowycz notes that, "the number of prostitutes reported killed most likely under-represents the actual figure: only those incidents where the police are certain that the victim was killed in the course of engaging in prostitution related activities are counted" (1996, p.10). If we count all the situations listed in Table 1, 86 prostitutes were murdered in Canada from 1992 through 1998. During this same period, prostitutes killed 16 clients, one pimp and nine other people.

**Table 1: Murders of Prostitutes in Canada, 1992-1998**

**Source: Homicide Survey, Policing Services, Canadian Centre for Justice Statistics**

	1992	1993	1994	1995	1996	1997	1998
British Columbia							
Killed by Clients	1	4	5	5	1		3
Killed by Pimps							
Drug-Related		1					
Other					1		
Unknown						1	
Subtotal	1	5	5	5	2	1	3

Alberta							
Killed by Clients		2			2	2	
Killed by Pimps	2						
Drug-Related	1			1			
Other		1		1	1		
Unknown							
Saskatchewan							
Killed by Clients	1		2	1			
Killed by Pimps							
Drug-Related							
Other				1			1
Unknown							
Manitoba							
Killed by Clients					1		2
Killed by Pimps							
Drug-Related							
Other					1	1	
Unknown			1				
Ontario							
Killed by Clients		2	4	2	3	2	1
Killed by Pimps							
Drug-Related		1				2	
Other	1					1	
Unknown							
Quebec							
Killed by Clients	1		3		3		
Killed by Pimps							
Drug-Related		1					
Other					1	1	1
Unknown							
Atlantic Provinces							
Killed by Clients			1				1
Killed by Pimps		1					
Drug-Related							1
Other	1					1	2
Unknown				1			
Total (including BC)	8	13	16	12	14	11	12

When Fedorowycz prepared the three *Juristat Service Bulletins* on homicide (1994, 1996, 1998) he had no way of estimating how much the Homicide Survey underestimates the number of prostitutes murdered. Also, because statistics on the occupation of murder victims were not available prior to 1991, the year the Homicide Survey was revised to include this information, he could not describe longer-term trends in the murder rate of prostitutes. The following discussion throws some light on these issues by constructing a profile of murders of sex workers<sup>1</sup> in British Columbia from 1964 to 1998. The analysis reveals the relationships among media, law, political hypocrisy and violence against street prostitutes. In particular, the paper examines how the "discourse of disposal"— i.e. media descriptions of the on-going attempts of politicians, police and residents' groups to "get rid" of street prostitution from residential areas (see e.g. Gayle 1999) – contributed to a sharp increase in murders of street prostitutes after 1980. The presentation updates information provided by Lowman and Fraser's (1996) study of violence against prostitutes in British Columbia, one of four such studies funded by the Department of Justice Canada in 1994 (also see Brannigan, 1996; Fleischman, 1996; La boîte à qu'on-se-voir, 1996<sup>2</sup>).

### **Murders of Sex Workers in British Columbia: Long Term Trends**

Figure 1 shows the number of sex workers murdered from 1964 through 1998 reported in Vancouver's two daily newspapers, the *Vancouver Sun* and *The Province*. These statistics include 43 prostitutes, five "exotic dancers" and two escort service workers. When we first constructed this murder profile in 1994, we also examined the RCMP's Macros database<sup>3</sup> and information from the Vancouver Police Department to see if we could identify murders not mentioned in the *Sun* and *Province*.<sup>4</sup> We identified seven additional murders: one each in the years 1975, 1978, 1979, 1980 and 1981 and two in 1982.

---

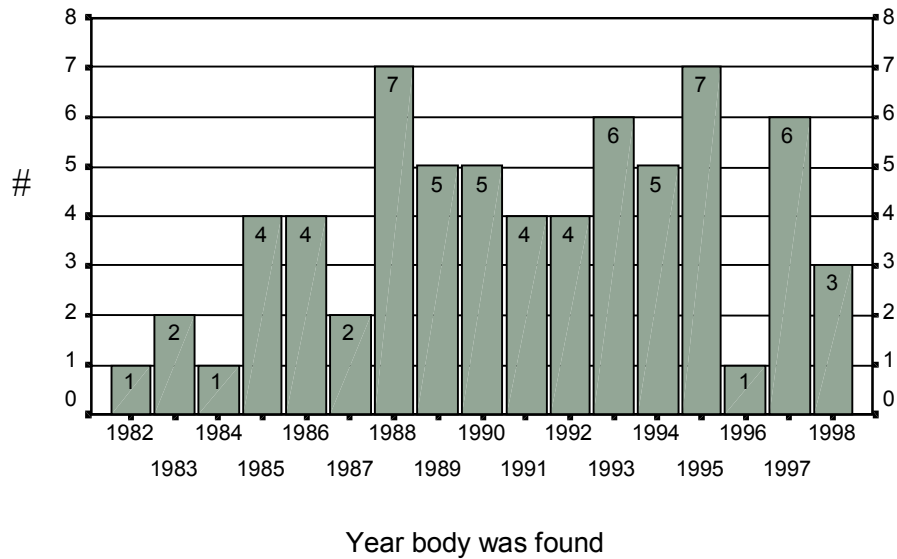
<sup>1</sup> In this category we include "exotic dancers" and escorts; the data include the murders of five dancers and two escorts.

<sup>2</sup> For information on violence against prostitutes in Australia see Hatty (1989), in England and the US see the International Collective of Prostitutes (1999) and in the US, see Miller (1993) and Miller and Schwartz (1995). For other research on violence against prostitutes in Vancouver see Currie, et. al. (1995).

<sup>3</sup> This was the forerunner of "VICLAS," the Violent Crime Linkage Analysis System.

Figure 1: Number of Murders of Sex Workers in BC

Reported in the Vancouver Sun and Province, 1964-1998\*



\*There were no murders reported from 1964 through 1981

When all four sources of information are integrated, we find that the first murder in the period 1964 to 1998 was in 1975 (in fact, no murders were reported in the 1940 to 1963 period in the two newspapers either). 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. This profile reveals 32 murders of sex workers (31 prostitutes and one exotic dancer) in British Columbia from 1992 through 1998 as compared to 22 reported in the Homicide Survey (Table 1).

Street prostitutes were the large majority of victims in the more than sixty murders reported in the *Sun* and *Province* from 1982 through 1998. While several of the murders of street-involved women were drug-related,<sup>5</sup> it appears that the vast majority related to the victim’s involvement in sex work.

The British Columbia study conducted for Justice Canada (Lowman & Fraser, 1996) included a description of 50 murders reported in the *Sun* and *Province* from January 1982 through December 1994, which is reviewed below.

<sup>4</sup> The murders for the period 1994-1998 are taken from the newspapers only.

<sup>5</sup> A VPD report written in 1992 suggests that at least three of the Vancouver murders from 1984 through 1992 were related to the drug trade, not to prostitution as such. This may also be the case with some of the murders outside the lower mainland of BC.

Forty-eight of the victims were female, and two were transgenders. The ages of the 50 victims ranged from 15 to 41 years, with an average of 25.7. There were four youths (one was 15 and three were 17 years old). As journalists during this period generally used the term “prostitute” to refer to women who meet their clients on the street, and given that a person is usually identified as a “prostitute” because they have a criminal record for communicating (Criminal Code s.213), it is highly likely that the remaining 17 victims (other than the five dancers and two escorts) also worked the street. We do not know if the five dancers were involved in prostitution (some dancers are), or if their murders were directly related to their work. One of the escorts died of an overdose administered by a man who was eventually convicted of manslaughter. The other was murdered by a would-be serial killer, but the second woman he attacked survived and identified him. Although there was an attempt to have him declared unfit to stand trial, he was eventually given a life sentence. In 1991 he committed suicide while serving his sentence.

In 35 of the 50 murder cases we were able to obtain information about the cause of the victim’s death. Thirty-one of the women were strangled, beaten, or stabbed. In seven of the 14 stabbing cases (all prostitutes), police used the term “overkill” to characterize the attack.<sup>6</sup> In other words, the force used was far greater than necessary to bring about the victim’s death (several victims were stabbed 30 to 40 times; one was stabbed 99 times). Three victims were mutilated and dismembered. In many of these cases, one is left with the impression of an offender in an uncontrollable rage that is difficult to comprehend.

As of December 1<sup>st</sup>, 1994 convictions were obtained in 17 of the 50 cases,<sup>7</sup> a clearance rate of 34%. In the 26 cases involving persons identified as street prostitutes, there were seven convictions, a clearance rate of 27%. By contrast, from 1986 through 1997 the Canadian clearance rate for murder fluctuated between 77% and 85% (Fedorowycz, 1994, 1998).

---

<sup>6</sup> Also, in 10 of the 29 prostitute murder cases recorded in the RCMP Macros database, the term “overkill” was used.

<sup>7</sup> Six for first degree murder, four for second-degree murder, and one for manslaughter. In the remaining six cases the category of conviction was not mentioned.

### ***Victimization Rates in Different Prostitution Strolls***

The bodies of 18 of the 50 victims were found in Vancouver and another 16 were found in surrounding municipalities in the lower mainland. Six were found in Victoria and four more in other Vancouver Island locations. The remaining four were found in mainland British Columbia.

As street prostitution strolls did not develop in any of the municipalities surrounding Vancouver until the early 1990s, and initially only in Surrey, it appears likely that most, if not all of the street prostitution victims found in the lower mainland worked in Vancouver.

From 1982 to 1994 there were seventeen different strolls in Vancouver, with four or five at any one time. From 1982 through 1995 we conducted head counts in the various strolls to monitor levels of street activity and record displacement of street prostitution in response to various law enforcement initiatives. From 1984 through 1994, the most populous stroll was “high track,” a six block commercial area on Richards and Seymour Streets in Downtown Vancouver.

On a single traverse of the streets and lanes in the recognized Vancouver stroll areas on any given night we counted from 50 to 100 persons working the street. From 1985 to 1993, high track accounted for 46% of the street prostitute head count. In 26 of the 50 murder cases we examined, the stroll where the victim met the assailant was identified. None of them worked the Richard-Seymour stroll.

Throughout this same period there was a stroll in Vancouver’s Downtown Eastside/Strathcona (referred to hereafter as the Downtown Eastside). From 1985 to 1988 the Downtown Eastside stroll accounted for about 14% of the total head count on any given night. From 1989-1993 the proportion increased to 28% as a series of police task forces moved prostitution out of residential Mount Pleasant. The corresponding head count proportions in Mount Pleasant for these same two periods decreased from 26% to 11%.

While Mount Pleasant and the Downtown Eastside accounted for about 40% of the nightly prostitute population from 1985 through 1993, nearly all the murder victims during this period came from these two areas. When we examined the 89 assaults of

prostitutes reported in the *Vancouver Sun* and *Province* for the period 1985-1993, we found much the same pattern (Lowman & Fraser, 1996, pp. 21-29). And when we examined the Vancouver Police Department files on “assault prostitute” for the period 1992-1993, we found the same pattern again. Of the 61 assaults recorded, information about the location of the offence was available for 35 cases. Of these 63% came from the Downtown Eastside, 34% from other areas, and only 3% from the Richards-Seymour area.

#### *Accounting for Different Victimization Rates*

The Richards-Seymour stroll and the Downtown Eastside are two very different social worlds. Vancouver’s Downtown Eastside, a neighborhood of 16,000 residents, has one of the lowest average household incomes in Canada and one of the highest HIV and hepatitis infection rates in the Western world. The neighborhood also has the highest number of bar seats per capita in Vancouver, with 28% of the city’s total, and nearly 80% of the city’s single room occupancy units. Through a process of urban triage, the Downtown Eastside has long been a residuum for the homeless, the mentally ill, and the drug addicted. From 1994 through 1998, there was an average of at least one illicit-drug overdose death per day.

From the 1950s up to the mid-1980s there was a well-established stroll adjacent to Vancouver’s Chinatown in the Downtown Eastside. This has always been known as a “hypes” stroll, i.e. most of the women working the area are intravenous drug users. In 1992 police identified a total of 480 people (44 of them youths) working as prostitutes in this area. In 1986, the stroll moved east from its traditional location into a gentrified residential neighborhood. This relocation occasioned the first organized resistance to the street prostitution trade in the Downtown Eastside. In 1988, through a process of negotiation with the women, the stroll was relocated in a commercial area north of Hastings Street.<sup>8</sup> After the move, the women were spread out over a five-block area, standing in poorly lit back alleys, and usually working alone. Women on the Downtown Eastside often have boyfriends with whom they share money and drugs, but they are not

---

<sup>8</sup> For a description, see Lowman 1989, pp. 174-177.

“pimped”<sup>9</sup> in the traditional sense. Prices for sexual services on the Downtown Eastside are the lowest in the street hierarchy, and range from \$80 down to \$20, or even less, depending on the service, the woman and her need for drugs

The Richards-Seymour stroll is located in a commercial area close to Vancouver’s central business district and was, until recently, the main African-American “pimps” stroll. Contrary to media stereotypes, these particular “mac” pimps and “players”<sup>10</sup> do not allow the women working for them to use drugs intravenously. For one thing, pimps would rather spend the money on themselves. Also they regard women with needle marks as “spoiled goods” because they cannot command the prices typical of “high track” which generally range from \$100 to \$200, depending on the service and time spent with the woman. There are aspects of pimp subculture that may make the women they control less vulnerable to victimization. The pimp “street-proofs” his women by schooling them in certain values and attitudes. The women often work together and take car license plates for each other. Because the stroll area is fairly small, when a client picks up a woman, it is usually in full view of other women, and many of the dates occur in local hotels rather than cars.

Of course, violence still plays an important role in this subculture. Pimps sometimes brutalize the women working for them, and if a woman has an earnings quota to meet, she may take chances with clients rather than risk a beating by her man. When she does have a bad date, a pimp might blame her for her own misfortune. Attitudes like these probably make women working the Richards-Seymour stroll less likely to report their bad dates to police than independent women.

Because of their addiction, women on the Downtown Eastside are generally not as discriminating about clients as their counterparts in the Richards-Seymour stroll.

---

<sup>9</sup> The term “pimp” does not appear anywhere in the criminal code. Technically, anyone who lives on the avails of prostitution is a “pimp.” However, the term is usually reserved for men who manage street prostitutes, particularly African-American men.

<sup>10</sup> These terms are taken from the argot of a long-established African-American pimp subculture (cf. Hodgson, 1997) but may not be in contemporary use in some parts of Canada.

### *Off-Street Prostitution*

Women who work for escort services sometimes complain that the owners are more interested in profit than they are in the escorts' safety. Nevertheless, women who work as escorts do not turn up in the ranks of murder victims at the same rate as street-involved women. The structure of the escort trade is such that the clients often have to identify themselves in the course of conducting business, because they contact the escort agency from a hotel at which they are staying, and may use a credit card to pay for the date. Leaving evidence of their identity makes their committing offences against escorts much less likely. Similarly, our on-going research indicates that women who work in body-rubs and massage parlours do not encounter anything like the same kind of victimization from clients as street prostitutes, primarily because a manager is almost always present.

### *The Social Reaction to the Downtown Eastside Murders*

In 1991 local activists and relatives started a Valentine's day vigil in memory of the murdered women on the Downtown Eastside. Very few of these murders have been solved. The Vancouver Police Department (VPD) has consistently maintained that its homicide squad vigorously investigates all murders of sex workers. Police attribute the low murder clearance rate to the difficulty of identifying suspects when they are strangers to the victims.<sup>11</sup> However, local activists insist the murders of sex workers are not treated the same way as other killings because the victims are "throwaway people" (Skelton, 1999; also see Gordon, 1996).

In September 1998, complaints that police and politicians were ignoring the victimization of street-involved women took a new turn. By this time, sixteen women, most of whom were aboriginal, had disappeared from the Downtown Eastside since 1995. Because they were involved in prostitution, fears that a serial killer accounted for their disappearance rapidly gained currency. In September 1998 the VPD announced it was

---

<sup>11</sup> Only 13% of Canadian murders are committed by persons not known to the victim (Fedorowycz, 1998).

setting up a team to review forty Vancouver missing women cases dating back to 1971 (Kines, 1998).

Over the next eight months the story gained momentum in the Vancouver press as more disappearances came to light. Claims that the local authorities treated inner city and suburban crime differently gained credibility when a \$100,000 reward was posted for information relating to a string of 31 suburban home invasions. Then another \$100,000 reward was offered for the identity of the “garage robber,” an armed man who ambushed a series of residents as they drove into their remote-controlled garages after returning home from work. In the spring of 1999, family members and local prostitute rights advocates began pressing for a similar reward for information leading to the capture of the person or persons they believe to be responsible for the disappearances of the Downtown Eastside women.

Initially VPD spokespersons responded that they thought it unlikely that a serial killer was at work because no suspect or vehicle description was associated with more than any one of the cases (Skelton, 1999). Also, they asserted that many street-involved women do not have close family ties, and may deliberately go “missing” for any number of reasons, including their desire to evade police. Vancouver’s Mayor Owen was more blunt. He said that because there was no evidence of a serial killer being involved, the municipal authorities were not prepared to fund a “location service” for prostitutes (Stall, 1999).

Opponents countered that if the reward were to be offered for information leading to the conviction of a killer, it could be claimed only if there *is* a killer. Then, as journalists dug for information on the missing women, it became clear that many of them did have close family ties and well-established social networks, and had suddenly disappeared nonetheless. One of the women left money in a local bank. Others failed to pick up welfare cheques. These are not the actions of poverty-stricken women.

In April 1999, the Mayor relented and recommended to the Police Board that it support the posting of a reward (Stall, 1999).

By the summer of 1999, the tally of missing women reached 22: three in 1995, two in 1996, three in 1997, ten in 1998, and by July 1999, four more (Kines, 1999). On July 31<sup>st</sup> 1999, the story made international headlines when Fox Television’s *America’s*

*Most Wanted* ran an eight-minute segment requesting information about the 22 missing women, and eight others who had disappeared prior to 1995. Although the show produced “no solid leads,” it did produce twenty tips “worthy of following up” (Sieberg, 1999). As of February 2000, information has come to light about three of the women mentioned in the show: one died of hepatitis in an Alberta hospital, one of an overdose, and one was found alive. None of the 22 women disappearing between 1995 and 1999 have been located.

### ***Serial Killer or Killers?***

In some respects it is extraordinary that police so quickly dismissed fears that a serial killer is responsible for the disappearances, for it seems likely that several serial killers were responsible for some of the 60 murders that occurred in British Columbia over the past fifteen years. In the early 1980s there was speculation that the Green River killer, who is thought to have killed 49 prostitutes in Washington, also killed women in Vancouver. Of the fifty murders reported in the newspapers between 1982 and 1994, there was speculation that several of the cases were linked. Several men convicted of a single murder during that period are suspects in other cases.

Most recently, forensic evidence has linked four 1995 murders to a suspect now in custody having been declared a “dangerous offender.” He was imprisoned for seventeen years in 1982 for assaulting a prostitute, and was released on mandatory supervision in 1994. He was imprisoned again in 1996.

In April 1999, the chilling details of another man’s plans to kidnap and kill Downtown Eastside prostitutes were revealed when a psychiatrist petitioned the Supreme Court of Canada for permission to testify against the defendant, Michael Leopold, who he examined at the behest of Leopold’s lawyer<sup>12</sup> (*Smith v. Jones*, (1999) 169 D.L.R. (4<sup>th</sup>) 385 (S.C.C)). Leopold had plead guilty to assaulting a prostitute, but revealed to the psychiatrist that he has intended to kill her, and that the escapade was actually a trial run

---

<sup>12</sup> Because the defendant’s lawyer instigated the examination, it was protected by lawyer-client privilege. The Supreme Court invoked the public safety exception and allowed the psychiatrist to reveal the contents of his conversation with the accused to the Crown. The Crown is now instituting proceedings to have Leopold declared a dangerous offender.

for a planned sequence of murders. Leopold had turned the basement of his home into a dungeon where he planned to take the women, torture, sexually assault and then kill them. He planned to make the identification of his victims more difficult by “blowing their faces off,” and then dumping them in the bush in the mountains near Hope, a small town 90 miles East of Vancouver. Leopold was released on bail from September 1996 to December 1997, during which time five women went missing. Needless to say, Leopold was moved into the category “of interest” by police investigating prostitute disappearances and murders.

It is easy to imagine a scenario where a man like Leopold accounts for many of the missing women, but has not come to the attention of police because, like several well-known serial killers, he disposes of his victims in a single location. However, when we reflect back on the 60 or so murders in British Columbia over the past fifteen years, it is obvious that we are not dealing with one or even several serial killers. Each of the seventeen convictions in the fifty murders of sex workers reported in Vancouver newspapers between 1982 and 1994 involved different offenders (sixteen men and two women<sup>13</sup>).

Rather than dealing with a single “aberrant” serial killer, or even several of them, we are thus dealing with a systematic pattern of violence against prostitutes perpetrated by many men, some of whom are serial killers. These murders are merely the extreme end of a continuum of violence. The question is why did the murders start to increase dramatically in the mid-1980s? I suggest the answer can be found, at least in part, in public discourse on prostitution. To get a sense of the discursive framework in which the social relations of prostitution unfold let us examine local news coverage of prostitution.

---

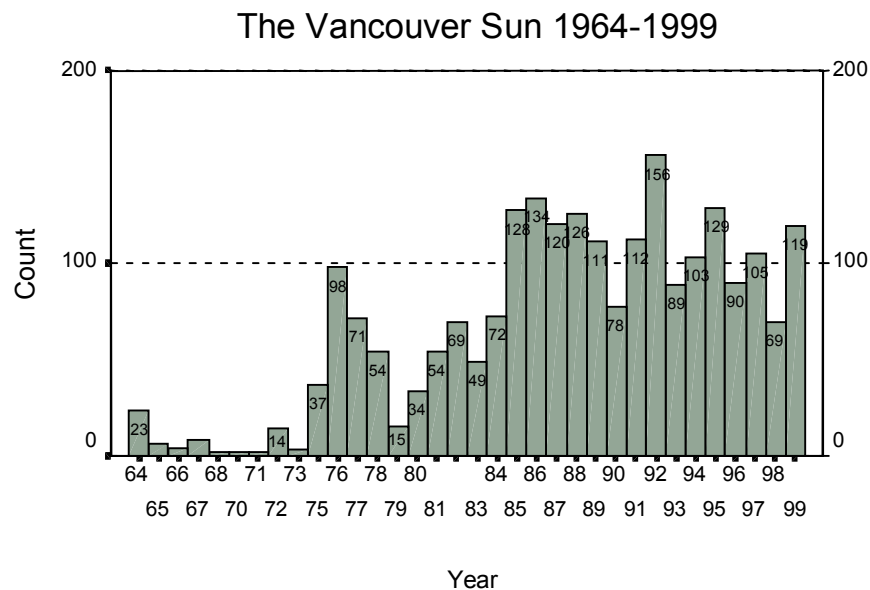
<sup>13</sup> In the seventeenth case, two women were convicted for the murder of a woman who had witnessed two men kill another woman at a party the previous year.

## Discourse on Prostitution and Violence against Prostitutes

The news data are drawn from an on-going study of 100 years of prostitution reporting in the *Globe and Mail* and two Vancouver daily newspapers, the *Province* and the *Vancouver Sun*. The analysis presented here is restricted to the *Sun*. From 1983 to 1998, the articles accumulated in a clippings file as we read the paper each day. The articles prior to 1983 are drawn from a page-by-page search of past editions of the *Sun* stored on microfiche. Any article mentioning prostitution was included.

From 1964 to 1973 there was an average of only seven *Sun* articles per year mentioning prostitution (Figure 2). The number increased substantially in 1975, when there were 37 articles, and again in 1976, when there were 98 articles, and again in 1976, when there were 98. The flurry of interest in 1976 related mostly to the closing of Vancouver's renowned Penthouse Cabaret after police charged the owners and several employees with procuring and living on the avails of prostitution (Lowman, 1986). The closure of this and other off-street prostitution venues played a decisive role in the spread of street prostitution that became the focus of considerable media attention in the early 1980s. A similar process occurred in Toronto in 1977 following the crackdown on the Yonge Street body rubs (Brock, 1998).

Figure 2: Number of Articles Mentioning Prostitution



In the two years following the closure of the Penthouse, the number of articles mentioning prostitution declined. From November 1978 to July 1979 there was a strike, and in 1979 only 15 articles mentioning prostitution appeared in the *Sun*. From 1980 to 1984 the average number of prostitution articles each year was 56. From 1985 (the year of the enactment of the communicating law) until 1990, the annual average more than doubled to 124. The annual average from 1990 to 1993 (108) was similar. However, this average is inflated by the effect of the 156 articles appearing in 1992, the largest number in any year during the 36-year period under scrutiny. We can see from these totals that there has been more talk about prostitution since 1985, the year in which the communicating law was enacted, than there was in any of the twenty years preceding it.

Figure 3 shows the number of articles from 1964 to 1993 mentioning violence<sup>14</sup> against prostitutes.<sup>15</sup> The first article mentioning violence appeared in 1975. From 1975 through 1983 an average of seven articles per year mentioned violence. In 1984 fifteen articles mentioned violence. Then there were thirty-two in 1985, thirty-one in 1986 and forty-one in 1987. From 1988 to 1993, the annual average number of articles mentioning violence rose to 55.

Figure 4 shows the number of articles mentioning violence against prostitutes as a proportion of the overall number of articles mentioning prostitution. Here we see a similar trend, but expressed this way we can see more clearly how the overall proportion of articles mentioning violence also increased. From 1964 to 1975, violence against prostitutes was not mentioned at all. From 1975-1983, 14.7% of the articles mentioned violence. From 1984 to 1987, the proportion rose to 29% and from 1989 to 1993 it increased again, to the point where half the articles mentioned violence against prostitutes. Far from representing a "paper crime wave," these news stories are incident driven and represent the reverse of the situation usually discussed in the criminological

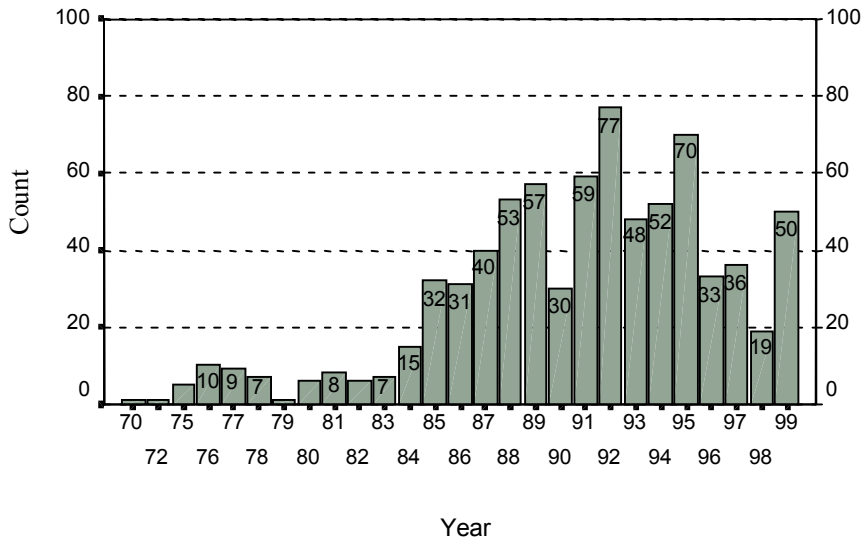
---

<sup>14</sup> "Violence" includes: first and second degree murder (s.231), manslaughter (s.232), attempted murder (s.239), uttering threats (s.264.1), assault (s.265), assault with a weapon or causing bodily harm (s.267), aggravated assault (s.268), sexual assault (s.271), sexual assault with a weapon or causing bodily harm (s.272), aggravated sexual assault (s.273), forcible confinement (s.279), robbery (s.343), and extortion (s.346).

<sup>15</sup> These figures also include about fifteen articles that mention the murders of five exotic dancers; the remainder refer to "prostitution."

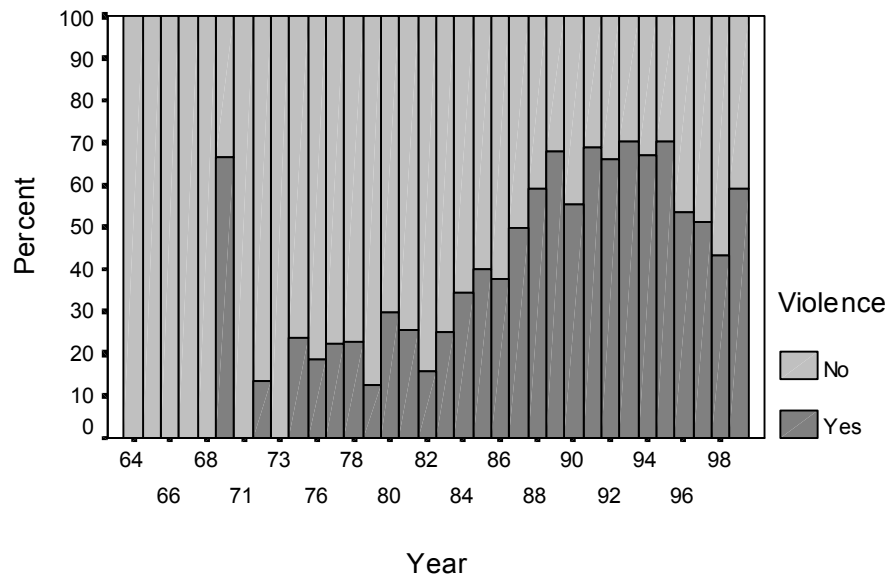
literature: a “real” crime wave – and in this case, one without an accompanying moral panic.

Figure 3: Number of Articles Mentioning Violence Against Prostitutes, Vancouver Sun 1964-1999\*



\*From 1964-69 no articles mentioned violence

Figure 4: Percent of Articles Mentioning Violence Vancouver Sun 1964-1999



The primary reason for the increased attention paid to violence against sex workers is the growing number of assaults and murders in British Columbia from 1982 on, and especially from 1988 to 1994 when 38 murders were reported in the newspapers. It appears that the increased murder rate since 1964 is a reflection of an increase in the actual number of murders of women involved in prostitution rather than a change brought about solely by news reporting – although the increase may reflect both influences.

*“Getting Rid” of Prostitutes: State and Vigilante Solutions to Land Use Conflicts*

Analysis of the ebb and flow of news themes reveals that from 1981 to about 1985 most of the talk was about the nuisance attributed to street prostitution. In 1981 the Concerned Residents of the West End (CROWE) was the first Vancouver organization formed in the post-war period specifically for the purpose of ridding a neighborhood of street prostitution. In 1984 the “Shame the Johns” group began to picket prostitutes. After prostitution was displaced out of Vancouver’s West End in the summer of 1984 by a nuisance injunction (Lowman, 1989), lobby groups have emerged in four other neighborhoods (Mount Pleasant, Strathcona, Kensington-Cedar Cottage, Grandview-Woodlands) to combat prostitution displaced from other areas. Most of these organizations have simply wanted to see prostitution removed from their neighborhood without seeming to care where it might go.

From 1981 through 1985 municipal politicians, police organizations and neighborhood interest groups all pressed for a new law so that police could sweep prostitution from the streets. Prohibition was the order of the day. In 1985 the Special Committee on Pornography and Prostitution recommended a different approach: if one of the goals of social policy is to remove prostitution from the street, then as long as it remains legal, we need to identify a place for it to go. The legislature rejected this plea for holistic reform of prostitution law and on December 20, 1985, enacted the communicating law instead.

Within a year, neighborhood groups were already protesting that the new law had failed because, they said, sentences were “too lenient.” Various police authorities and neighborhood lobby groups called for stronger penalties. Neighborhood activists referred

to street-connected women and anyone associated with them as “scumbags” and “sleazeballs.” In one instance, one of the most vocal activists wrote an open letter to movie star Clint Eastwood “on behalf of the community of Mount Pleasant which has been invaded by street prostitutes and other criminals.” The letter exhorted Eastwood, then Mayor of Carmel, California, to run for Mayor in Vancouver. “Talent such as yours” the letter continued, “is in great demand. Due to conditions here in Mount Pleasant, your election would be certain. Thank you for considering this offer.” The letter concluded, “PS Bring your gun.”<sup>16</sup>

Sometimes these exclusionary tactics extended to vigilante action on the street. In July 1993 photocopies of a hand-written poster were stapled to telegraph poles in the Downtown Eastside. The poster read:

Warning: Street Prostitutes  
From: 700, 800, 900 Block East Pender, Hastings & Cordova Residents  
Move out or face the consequences by July 15/93 and thereafter

The main result of the numerous campaigns to “rid” various Vancouver neighborhoods of street prostitution is to displace it. As one VPD report put it, this is an “enforcement action which merely moves the problem to another location for another day. This action may be appropriate for the short term, but all too often that is the only action that is taken and so nothing changes” (VPD report, 1993).

There is growing acknowledgment that criminal law and police initiatives can only play a small part in the much broader issues that are raised by street prostitution and other “problem” populations. As another VPD report suggests:

The root causes of prostitution and drug abuse are obviously beyond the ability of one city or neighborhood to resolve. However, what appears to be occurring in the DES [Downtown Eastside] and Strathcona is that the number of people with problems has reached the critical mass where the mainstream residents are unable to support, guide, or have a positive effect on their less able neighbours. Examples of the numbers are: over 500 seriously mentally ill people (survey by the Heatley Street Clinic); 480 prostitutes (VPD survey); between 350 and 500 latino refugees (DEYAS survey); and the uncounted numbers of alcoholics and dysfunctional people living in poverty...

The responses necessary to reasonably address these types of social issues require a major coordinated initiative involving the three levels of

---

<sup>16</sup> S.A. Agg “Run here Clint -- and make our day.” Letter published in the *Vancouver Sun*, 25 April 1986.

government. Decisions made in isolation tend to have unintended results: ghettos of ex-mental patients and refugees for example. Law enforcement actions can have only a limited amount of success under these circumstances.” (Police Administrative Report to City Council on prostitution and drug abuse on the Downtown Eastside and Strathcona, 18 February 1992, pp. 6-7)

### *The Discourse of Disposal*

It appears that the discourse on prostitution of the early 1980s dominated by demands to “get rid” of prostitutes created a social milieu in which violence against prostitutes could flourish. The same exclusionary discourse continues to be broadcast today amidst stories of the disappearing women (see e.g. Gayle, 1999). The association of this *discourse of disposal* to violence against prostitutes is clear enough. After 1985, the year in which the communicating law was enacted, there was a large increase in British Columbia of murders of women known to prostitute.

Similarly the number of reported cases involving customer assaults of prostitutes began to increase in 1985 (Lowman & Fraser, 1996). Between 1976 and 1984 there were eleven cases reported in the *Vancouver Sun*, an average of just over one per year. From 1985 to 1993 the average rose to seven per year. Obviously these are very small numbers, and only include a small proportion of the total number of incidents, but the trend is the same.

This discourse of disposal has formed an important part of the ideological context in which male violence against women is played out. A woman working the street is particularly vulnerable to predatory misogynist violence, and all the more so in a milieu in which she runs the risk of criminal prosecution. This same risk makes women who work the street much more susceptible to violence when a conflict with a client occurs. In a situation where he may use violence because he knows she is unlikely to report him to the police, and with the nuisance rhetoric, among other things, at hand to justify doing so, conflicts may quickly elevate to the point of physical resolution. Alienated from the protective service potential of the police, the prostitute is also an obvious mark for robbery. In lieu of the development of viable alternatives to street prostitution, especially at the lower priced end of the trade, these conditions appear to have perpetuated and amplified violence against women involved in prostitution.

## **A Continuum of Violence**

It should go without saying that the murders described here are just the extreme end of a continuum of violence against prostitutes. Many street prostitutes experience numerous “bad dates” involving assaults, sexual assaults and robberies (Lowman & Fraser, 1996). By all accounts, the women on the Downtown Eastside are the most victimized.

In very general terms, the violence against street prostitutes perpetrated by clients or men posing as clients can be classified into two main types: *situational* and *predatory*.

*Situational violence* occurs when a dispute arises during the course of a transaction and the client resorts to violence to resolve it. The dispute might take the form of a disagreement about services performed, price paid, an alleged rip-off, and so forth. It is “situational” in the sense that it is not premeditated. Sexual assaults, assaults, and robberies may all arise from such disputes. While these offences are not premeditated, they are not entirely situational either. Such incidents are predisposed by the perpetrator’s attitude to women and sexuality.

*Predatory violence* is premeditated. It may be financially motivated – a planned robbery – and it may be misogynist, sexual and serial. The offender is not a client as such, because he sets out with a different agenda. He knows what he is going to do before he does it, and he knows where to find victims: the unregulated and mostly unmonitored prostitution strolls of a city like Vancouver. The choice of a *prostitute* as a target is, at least partly, a matter of opportunity: because street prostitutes will get into a car with a stranger, they are targets.

We term predatory sexual violence against prostitutes “misogynist” because, as one 31 year veteran of the VPD put it, the maliciousness and viciousness of some of the sexual assaults and murders is “beyond belief.” He described the behaviour of many of the men who assault prostitutes as “very physical... very intimate ... and designed to hurt.”

Both situational and predatory violence can lead to death. An example of situational violence is given by a Victoria taxi driver (“M.”) who was sentenced to a life term for the second-degree murder of a prostitute (“P”):

Court was told M. fantasized about a pure, eternal heterosexual romance. He idealized women but despised them when he felt rejected.

On Dec. 8, 1993 he picked up P. and paid her \$50 for sex. When P. tried to leave before M. had finished the sex act, he exploded into anger, and the pent-up hatred he had of women poured out. (Canadian Press, 1994)

He stabbed his victim 32 times and then slit her throat.

In another recent case, “D.” was convicted of three counts of sexual assault with a weapon (two involving prostitutes), three counts of confinement and one of robbery. The accused “pointed a gun at one victim when he ordered her to get into his vehicle. He then pressed the gun against her head as he forced her to perform an oral sex act.” In the other assaults D. “pressed a sharp knife against the victim’s head as he forced her to perform ... sex acts” (Still, 1994). In passing a sentence of fourteen years, the Judge described the premeditated assaults as “extremely serious” in nature, with each victim “subjected to prolonged terror” (Ogilvie, 1994).

As to the extent to which violence against prostitutes is a matter of violence against women in general rather than “prostitutes” in particular, too much of an analytic separation should be resisted. Several of the men convicted of sexually assaulting prostitutes in British Columbia have convictions for assaulting or murdering other women too. For example, a man convicted in 1989 of killing a female jogger in Saanich was charged in 1986 with two different assaults on prostitutes for which he was out on bail awaiting trial at the time he committed the murder. He was convicted of both assaults, and was serving a lengthy sentence at the time police realized he was responsible for the murder. Seen in this light, although the victim was a prostitute, from this man’s point of view, any woman would have done. In 1995, a woman working in a Surrey tanning salon was abducted, sexually assaulted and murdered. Fernand Auger, the man who is thought to have murdered her (he committed suicide) had a record for assaulting prostitutes (Bell & Munro, 1995).

In light of these cases, violence against prostitutes ought to be understood as part of a continuum of violence against women more generally. Nevertheless, it is likely that some men are more easily able to rationalize violence against a “prostitute” because of her moral-political marginalization than against other women. The de facto criminal prohibition of prostitution plays a major part in this marginalization.

The current Canadian Criminal Code effectively outlaws prostitution – technically, prostitution is legal, but it is almost impossible to prostitute on an on-going basis without breaking the law. This system of quasi-criminalization makes this marginalization more complete in several ways:

1) It contributes to legal structures that tend to make the prostitute responsible for her own victimization, and thus reinforces the line of argument that says that, if a person chooses to prostitute, they deserve what they get – they are “offenders” not “victims.”

2) It makes prostitution part of an illicit market. As such, it is left to primitive market forces and creates an environment in which brutal forms of manager-exploitation can take root.

3) It encourages the convergence of prostitution with other illicit markets, particularly the drug trade. Once the price of a habit-forming mind-altering substance is driven up by criminal prohibition, a drug like heroin can be as demanding a “pimp” as any man.

4) It alienates persons who prostitute from the protective service potential of the police. Why would prostitutes turn to the police for help when the police are responsible for enforcing laws against prostitutes? For a prostitute to report an assault or robbery might entail admitting that they were committing an offence (communicating), or violating a bail or probation area restriction. Criminal law sanctions institutionalize an adversarial relationship between prostitutes and police. This antagonism finds its roots in the contradictory structure of criminal law and the refusal of legislators to identify the circumstances in which the legal act of prostitution can take place.

### ***Violence, Commercial Sex and the Politics of Deception***

The main conclusion of the analysis presented here is that the prohibition and stigmatization of prostitution are the main obstacles to creating safer working conditions for prostitutes. At present we have a system of quasi-criminalization of prostitution. The sale of sex is left to a combination of market forces, selective enforcement of the criminal code prostitution statutes, and a crude system of municipal regulation of escort services, body rubs and massage parlours. One of the main features of this schizoid system of regulation is that it denies what it is really all about. For example, although many police departments tell women who apply for escort service licenses that they are getting involved in prostitution, they refuse to issue a license if the applicant has a communicating conviction. Because of this systematic political deception, women at the lower priced end of the street trade, especially intravenous drug users, are left with few or no viable off-street alternatives. Neither the women nor many of their clients have the resources needed to control private spaces to conduct their business.

The system of quasi-criminalization helps to perpetuate violence against prostitutes. This sometimes happens in a relatively direct way. For example, when hotel owners are prosecuted for bawdy-house offences, prostitutes are more likely to service their clients in cars, thus making them more vulnerable to assault, robbery and murder. Police efforts to displace the street trade out of residential streets into poorly lit industrial areas have a similar effect. Street prostitutes may be exposed to violence in a less direct though probably more important sense: criminal law sanctions encourage an adversarial relationship between prostitutes and police. Why would a prostitute turn to a potential adversary for help? This is not to say that police are never helpful or that prostitutes never turn to police for help – some do, which is why a growing number of men are being convicted for assaulting prostitutes and given fairly lengthy prison terms as a result. Nevertheless, the statistics on violence against street prostitutes suggest that it is probably the most dangerous form of work in Canada.

There appears to be little political will to prevent male violence against prostitutes by creating safer conditions for their work. The reluctance is rooted in the idea that any attempt to “help” prostitutes would be tantamount to condoning prostitution. This is odd,

given that prostitution is already legal in Canada. As things stand, prevention of violence is conceptualized mainly in terms of eradicating prostitution. This reasoning, together with various kinds of moral disapproval of prostitution and the sentiment that prostitutes bring upon themselves the violence they experience, form powerful impediments to developing safer conditions for sex workers. It is time for politicians to admit the obvious and engage in a dialogue with prostitutes about how to meet their clients and where to conduct their business. Without this dialogue and a wholesale rationalization of Canadian prostitution law, many more women will die.

Of course, much more importantly, resources must be devoted to helping women leave prostitution if they want to, and preventing youths from making "choices" they later regret. And most importantly of all, politicians and the rest of us must address the fundamental issues that lead to pernicious forms of prostitution in the first place, including the effects of several hundred years of colonialism on First Nations peoples, the feminization of poverty, addiction, sexual exploitation of children and youth, and certain kinds of male sexual expression.

### **Acknowledgements**

Thanks to: Laura Fraser and Jody Gordon for their work on previous studies of violence against sex workers in British Columbia (Figures 1 through 4 are updated from Gordon and Lowman, 1993; and Lowman and Fraser, 1996); RCMP Corporal Davidson for providing information from the MACROS database; the Vancouver Police Department for providing information from Vice Intelligence Unit files; Orest Fedorowycz and Rick Labovitch for providing provincial breakdowns of relevant homicide statistics; the more than forty "Work Studies" and "Challenge" students over the past fifteen years who spent thousands of hours collecting newspaper articles; and two anonymous reviewers for their helpful comments.

## References

- Bell, S. & Munro, H. (1995). Pursued by twin dragons: a bleak past, grim future. *Vancouver Sun*, 18 January, p. A2.
- Brannigan, A. (1996). Victimization of Prostitutes in Calgary and Winnipeg. *Technical Report No. TR1996-15e*. Ottawa: Department of Justice Canada.
- Brock, D. (1998) *Making Work, Making Trouble: Prostitution as a Social Problem*. Toronto: University of Toronto Press.
- Canadian Press (1994). Life term for killer cabbie. *Province*, 18 November, p. A11.
- Currie, S., Laliberte, N, Bird, S., Rosa, Noelle, & Sprung, S. (1995) *Assessing the Violence Against Street Involved Women in the Downtown Eastside/Strathcona Community*. Unpublished Report.
- Duchesne, D. (1997). Street Prostitution in Canada.” *Juristat Service Bulletin 17*, #2. Ottawa: Canadian Center of Justice Statistics.
- Fedorowycz, O. (1994). Homicide in Canada - 1991. *Juristat Service Bulletin 14*, #15. Ottawa: Canadian Center for Justice Statistics.
- Fedorowycz, O. (1996). Homicide in Canada - 1995. *Juristat Service Bulletin 16*, # 11. Ottawa: Canadian Center for Justice Statistics.
- Fedorowycz, O. (1998). Homicide in Canada - 1997. *Juristat Service Bulletin 18*, # 13. Ottawa: Canadian Center for Justice Statistics.
- Fleischman, J. (1996). Violence Against Street Prostitutes in Halifax. *Technical Report No. TR1996-16e*. Ottawa: Department of Justice Canada.
- Gayle, E. (1999). Residents Join Police in Bid to Get Rid of Prostitutes. *Vancouver Sun*, May 4, B8.
- Gordon, J. (1996) *When the Victim is Deviant: An Analysis of Newspaper Articles on Violence Against Prostitutes*. Unpublished master's thesis, Simon Fraser University, Canada.
- Gordon, J., & Lowman, J. (1993). Prostitution in the News. Paper presented at the Annual General Meeting of the American Society of Criminology, Phoenix.
- Hatty, S. (1989) “Violence against prostitute women” *Australian Journal of Social Issues*, 24:4:3:235-248.

Hodgson, J. F. (1997) *Games Pimps Play: Pimps, Players and Wives-In-Law*. Toronto: Canadian Scholars' Press.

International Collective of Prostitutes (1999) *Some Mother's Daughter: The Hidden Movement of Prostitute Women Against Violence*. London: International Collective of Prostitutes.

Kines, L. (1998). Missing Women Cases Probed. *Vancouver Sun*, September 18, B1.

Kines, L. (1999). America's Most Wanted host applauds police, politicians for handling of case. *Vancouver Sun*, July 28, B1.

La boîte à qu'on-se-voir (1996). Étude sur les violences envers les prostituées à Montréal. *Technical Report # TR1996-17e*. Ottawa: Department of Justice Canada.

Layton, M. (1975). *Report on Prostitution in Vancouver: Official and Unofficial Reports*. Unpublished Report to the British Columbia Police Commission.

Lowman, J. (1984). Vancouver Field Study of Prostitution: Research Notes. *Working Papers On Pornography and Prostitution, Report #8*. Ottawa: Department of Justice Canada.

Lowman, J. (1986). Street Prostitution in Vancouver: Some Notes on the Genesis of a Social Problem. *Canadian Journal of Criminology* 28, 1-16.

Lowman, J. (1989). *Street Prostitution: Assessing the Impact of the Law, Vancouver*. Ottawa: Department of Justice Canada.

Lowman, J., & Fraser, L. (1996). Violence Against Persons Who Prostitute: The Experience in British Columbia. *Technical Report TR1996-14e*. Ottawa: Department of Justice Canada.

Miller, J. (1993) "Your life is on the line every night you're on the streets" *Humanity and Society* 17:4: 422-446.

Miller, J. & Schwartz, M. (1995) "Rape myths and violence against street prostitutes" *Deviant Behaviour* 16:1-23.

Ogilvie, C. (1995). Serial rapist dealt fourteen years for attacks on three women. *Province*, 6 January, p. A10.

Sieberg, D. (1999). No solid leads generated by TV show, police say. *Vancouver Sun*, August 3, B1.

Skelton, C. (1999). Reward urged to help solve Downtown Eastside killings. *Vancouver Sun*, February 15, B3.

Special Committee on Pornography and Prostitution (1985). *Pornography and Prostitution in Canada*. Ottawa: Department of Supply and Services.

Stall, B. (1999). Mayor to propose skid-row reward. *The Province*, April 25, A16.

Still, L. (1994) 'Dangerous, violent' serial rapist convicted. *Vancouver Sun*, 22 December, p. B4.

Vancouver Police Department (1993). Street Prostitution and Community Reaction. Unpublished Report.

Wolff, L. and Geissel, D. (1993), Street Prostitution in Canada. *Juristat Service Bulletin* 13, # 4. Ottawa: Canadian Center of Justice Statistics.