



INDIGENOUS COMMUNITY DIALOGUES SUMMARY REPORT

SEX WORK





LAND ACKNOWLEDGEMENT

CAAN and the HIV Legal Network are located across this land now called Canada on treaty lands, stolen lands, and unceded territories of many different Indigenous groups and communities who have respected and cared for this land since time immemorial.

Together, we work to address the ongoing injustices and resulting health inequities faced by Indigenous Peoples, which contribute to the disproportionate impact of the HIV epidemic on Indigenous communities. We are committed to learning to work in solidarity and to dismantling and decolonizing practices and institutions to respect Indigenous Peoples and Indigenous ways of knowing and being.

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Other Major Findings

Context and purpose

This summary report presents findings related to sex work from six Indigenous community dialogues conducted across Canada from 2023-2025. The dialogues were organized by the HIV Legal Network and CAAN Communities, Alliances & Networks as part of a broader project examining Indigenous Peoples' lived experiences with HIV, hepatitis C (HCV), and other sexually transmitted and blood-borne infections (STBBIs).

The dialogues were designed to gather community feedback on a **policy brief** jointly produced by the HIV Legal Network and CAAN, which outlines legal and policy reforms aimed at improving HIV, HCV, and STBBI outcomes for Indigenous Peoples, specifically in relation to drug policy, sex work, and prisons. Participants were invited to reflect on the brief's recommendations and to share their own experiences, priorities, and concerns.

Community dialogues took place in Winnipeg, Prince George, Montreal, Halifax, and Sudbury as well as through a virtual dialogue with CAAN staff. Participants included Indigenous people with diverse lived experiences (including drug use, sex work, and incarceration) as well as people living with HIV or HCV, service providers, and community advocates.¹

While sex work was discussed across all sessions, relatively few people identified as having lived experience of sex work and some may not have felt comfortable sharing their perspectives in broader forums. To ensure Indigenous sex workers' experiences and expertise were meaningfully reflected, we organized a sex work-specific Indigenous dialogue in Sudbury and conducted a key informant interview with an Indigenous sex worker advocate.²

This report summarizes how participants understood, supported, nuanced, or challenged the policy brief's sex work recommendations, and highlights additional considerations raised through lived experience that can inform future policy development.

¹ Community dialogues took place on the following dates: Virtual CAAN, July 11, 2023; Winnipeg, July 14, 2023; Prince George, April 17-18, 2024; Montreal, July 12, 2024; Halifax, November 20, 2024; Sudbury, March 31, April 3, April 29, 2025.

² The key informant interview took place over Zoom on December 5, 2024.

Sex work recommendations in the policy brief

The policy brief identifies the criminalization of sex work as a structural driver of violence, stigma, and HIV/STBBI risk for Indigenous women, trans, gender-diverse, and Two-Spirit people. Its core sex-work recommendations include:

- Repeal all sex work-specific *Criminal Code* provisions (including those related to communication, third parties, and purchasing sexual services);
- Recognize sex work as work and implement a legal framework that is as inclusive and effective as possible and centres human rights and labour protections;
- Ensure responses to sex work are Indigenous-led, sex worker-led, and culturally safe; and
- Support sex worker-led organizations and invest in Indigenous community initiatives that seek to address homelessness and poverty and to provide services directed by sex workers as well as measures of assistance for all individuals to realize the right to health including income support, poverty alleviation, housing, childcare, education, job training, and treatment and support for substance use.

What we heard

Criminalization and heightened vulnerability

Across dialogues, criminalizing sex work was consistently described as a key driver of violence and insecurity, particularly for Indigenous women, trans, gender-diverse, and Two-Spirit people who work on the street or are otherwise visible and more likely to be profiled by law enforcement. **Rather than preventing harm, criminal law was understood to push sex work into isolated, rushed, and unsafe conditions that increase exposure to violence, policing, and health risks.**

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These laws are targeted to the most marginalized and racialized people, when it comes to policing, when it comes to communicating & working with others. – KEY INFORMANT

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Part of the reason I don't work is because it's criminalized and pushes us into the dark. We got pushed into more isolated areas of Sudbury. – SUDBURY DIALOGUE

The key informant and participants in the CAAN dialogue explained that legal barriers to communication, working together, and shared indoor spaces impede basic safety practices such as screening clients, negotiating boundaries, and using buddy systems. Similar concerns were raised in Halifax, where it was emphasized that criminalization displaces sex work into secluded areas, reducing the likelihood of intervention or support during violent encounters. In Winnipeg and Prince George, criminalization was linked to ongoing violence against Indigenous women, with concern that the status quo increases sex workers' risk of disappearing and assaults.



An event I attended talked about those who have experienced GBV [gender-based violence] having trauma with touch. One of the Indigenous women that was presenting has used sex work to take back that control. Though she has taken control in one aspect, she is now fearful of being charged for that work and not having a safe space to do that work. – CAAN DIALOGUE

Stigma and moral judgment

Participants across dialogues emphasized that criminalization reinforces deep stigma and moral judgment, fueling discrimination and shaping how violence against sex workers is treated by police, healthcare providers, and community members.



People aren't comfortable to have those conversations because of stigma that is attached to it – which silences people and their experiences. – KEY INFORMANT

In Winnipeg and Prince George, participants described how **incidents of violence were minimized once a person was identified as a sex worker, reinforcing the perception that Indigenous women who sell or trade sex are less deserving of protection.** Sudbury participants similarly recounted police responding to violent incidents by treating the sex worker as the perpetrator rather than the victim.



In this city, we struggle with moralistic views around sex. People think sex workers are trash and that it is ok to kill or harm Indigenous women; they don't see them as human beings; they don't respect boundaries or consent. – WINNIPEG DIALOGUE

The key informant interviewee noted that under the current law, Indigenous sex workers are often automatically framed as trafficking victims regardless of their own understanding of their work. This framing can discount Indigenous women's agency and fails to reflect the realities of Indigenous sex workers' lives. Likewise, **organizations that receive funding to combat human trafficking sometimes feed into this problematic dynamic as their project success hinges on reframing sex workers as unwitting victims who need to be rescued rather than autonomous individuals who are asking for support.** Many characterized this dynamic as a failure to account for the nuance and complexity of sex workers' lived experiences.

Decriminalization: broad support with diverse opinions on approach

Most participants expressed strong support for decriminalizing sex work, particularly the repeal of sex work-specific offences. **Decriminalization was widely viewed as essential for improving safety, promoting autonomy, and reducing stigma.** There was widespread consensus that sex work was not synonymous with coercion, exploitation, and human trafficking, which should remain criminalized.

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I think safety would be the biggest consequence of decriminalization. – HALIFAX DIALOGUE

Participants in Winnipeg and Sudbury linked decriminalization directly to reductions in violence against Indigenous women, arguing that the ability to work openly would decrease disappearances and assaults. As well, decriminalization was understood by many participants as a means of allowing for redress or protection in the event that sex workers were victims of violence or a crime – allowing them to seek assistance from the police without fear of arrest.

Participants in several dialogues described decriminalization as a pathway toward recognizing sex work as legitimate labour, thus benefiting from legal protections and enabling safer working conditions. Some suggested a model where sex work would be regulated and permitted in designated locales (e.g. red-light districts or brothels) as a means of improving safety.

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We have been talking about this for decades. We know it would be safer, and that sex work could be seen as real work. – HALIFAX DIALOGUE

At the same time, some participants raised cautions. Several individuals were worried that decriminalization followed by heavy regulation through licensing and registration could reproduce surveillance and control rather than safety. Others felt that decriminalization alone would be insufficient without parallel investments in underlying issues like housing, income security, and poverty reduction. Many dialogue participants expressed that sex work was often a choice motivated by poverty and financial insecurity, pointing to the need for governmental responses grounded in social welfare and economic empowerment rather than repression and criminalization.



Community safety strategies under criminalization

Across dialogues, participants emphasized that sex workers already engage in extensive self-organized safety practices. Sudbury participants emphasized that sex workers are not passive victims but active agents who develop strategies to protect themselves and one another. These strategies include:

- Spotting and sharing information about dangerous clients and vehicles;
- Buddy systems;
- Community-run “bad date” lists; and
- Informal peer monitoring and outreach networks.

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Sex workers aren't helpless: we are resourceful and work hard to protect ourselves and against institutions that are set up to protect us. – SUDBURY DIALOGUE

Participants repeatedly noted that many of these practices are difficult to implement under the current laws, despite being lifesaving. Several described intentionally breaking the law to protect one another, framing this as a necessary response to systemic failures.

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I didn't care that it was against the law to protect them in this way. A little law breaking is better than having to go to their funeral. – PRINCE GEORGE DIALOGUE

Indigenous-led and sex worker-led supports

There was strong consensus that **services for sex workers need to be made more accessible, with an understanding that sex worker-led and Indigenous-led organizations are best positioned to provide effective outreach and support.** The key informant emphasized that sex worker-led organizations should have Indigenous-specific programming, which would help foster empowering spaces for dialogue, reduce isolation, and allow for greater connection to community and culture.

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We have a program where they can get food and condoms during the day, but it's only twice a week. Availability is an issue. It doesn't respond to people's needs. – HALIFAX DIALOGUE

In Montreal, participants criticized non-Indigenous service workers for failing to protect sex workers within shelters and called for spaces run by and for Indigenous women and trans people. In Sudbury, participants identified SWANS (Sex Workers Advisory Network Sudbury) as uniquely effective in making sex workers feel safe and supported due to its peer-led model and shared lived experience.

Dialogue participants in Halifax suggested creating a community-led mobile patrol unit where a van or RV would go around the city to offer resources, supplies, or voluntary support to street-active sex workers and make sure that sex workers are safe.

Participation in policymaking

Participants across dialogues emphasized that Indigenous sex workers are routinely excluded from policymaking and that their voices needed to be heard and centred in these conversations. The “nothing about us without us” ethos was echoed by many dialogue participants on this point. The key informant underscored that **governments need to listen to people in the sex industry, and not just make assumptions about what they need – and ensure participation from Indigenous sex workers.** Conversely, participants contended that Indigenous sex workers should mobilize more and take ownership over the policymaking process by coming up with their own data gathering initiatives and producing their own advocacy reports.

Participants in Halifax and Sudbury stressed that meaningful engagement requires compensating sex workers for their expertise and ensuring they are not punished or silenced for deviating from dominant narratives of victimhood. The key informant agreed that sex workers’ perspectives were often marginalized or filtered through victim-only narratives.



Community-identified gaps and additional considerations

Beyond responding to the policy brief, participants identified elements that should be reflected in future policy work:

- **Pair decriminalization with meaningful changes to policing, prosecution, and court practices,** including focusing greater resources on cases involving exploitation and trafficking;
- **Supplement legal reform with measures that provide stable housing and income supports** so that sex workers are less vulnerable to coercion and violence;
- **Place greater emphasis on the specific lived realities, needs, and views of Indigenous trans, gender-diverse, and Two-Spirit people** in discussions around sex work (including programming, resources, and staffing within community organizations); and
- **Ensure sustained funding for Indigenous sex worker organizations** and greater community control over sex worker advocacy.



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