

# Crimes related to the sex trade: Before and after legislative changes in Canada

Released at 8:30 a.m. Eastern time in *The Daily*, Monday, June 21, 2021

---

Police-reported crimes related to the sex trade fell by over half (-55%) from 2010 to 2019, driven by fewer incidents of stopping or impeding traffic, or communicating for the purpose of offering, providing or obtaining sexual services. Most of this decline occurred before the *Protection of Communities and Exploited Persons Act* (PCEPA) was adopted in 2014, which affected the legality of selling and purchasing sexual services in Canada.

In December 2014, the PCEPA shifted the focus of criminalization related to the sex trade away from those who sold their own sexual services onto those who purchased or benefitted financially from the sexual services of others. The PCEPA responded to the Supreme Court of Canada's 2013 Bedford decision, which found that some *Criminal Code* "prostitution" offences violated an individual's rights under the *Canadian Charter of Rights and Freedoms* on the basis that they prevented those who work in the sex trade from taking steps to protect themselves when engaging in risky, but legal activity.

As a result, three *Criminal Code* offences were subsequently repealed and new offences were created. These new offences differentiate between purchasing sexual services and third-party offences that target those who profit from the sale of sexual services of others.

After the change in legislation, fewer women were charged with or convicted of crimes related to the sex trade. At the same time, there were more incidents related to the new purchasing offences as well as third-party offences—crimes primarily committed by men.

A *Juristat* article released today, titled "[Crimes related to the sex trade: Before and after legislative changes in Canada](#)," examines changes in sex trade-related crimes reported by police before and after the 2014 change in *Criminal Code* legislation.

## Large decline in sex trade crimes related to stopping or communicating offences prior to 2015

The overall number of police-reported crimes related to the sex trade fell by over half, declining from 2,904 in 2010 to 1,298 in 2019. The drop began before the introduction of the new legislation in 2014 and was primarily driven by a 95% decline in incidents of stopping or impeding traffic, or communicating for the purpose of offering, providing or obtaining sexual services. This is partly a reflection of changing enforcement practices by police services in anticipation of new legislation. Persons accused of these offences were primarily women.

## Women far less likely to be accused of a sex trade-related crime in 2019 than a decade earlier

One goal of the PCEPA was to reduce the criminalization of women selling their own sexual services by criminalizing the purchasers of sexual services and third parties who profited from the sale of sexual services of others. Overall, the proportion of women accused in police-reported sex trade-related crimes dropped from 42% in 2010 to 22% in 2014. By 2019, five years after the implementation of the PCEPA, women represented 5% of those accused in a sex trade-related crime.

In addition to fewer women accused of crimes related to the sex trade, the study found that a smaller proportion of accused women were charged after the PCEPA was implemented. In the five years prior to the adoption of the PCEPA, 86% of women accused were charged. This proportion fell to 57% in the five years after the new law.

Similarly, in the criminal court system, women previously accounted for more than one in four (27%) persons accused in a sex trade-related case in the five-year period prior to implementation of the PCEPA. This proportion declined to less than 1 in 10 (9%) in the five-year period following the change.



---

## More offences related to purchasing sexual services, primarily committed by men

Following the introduction of the PCEPA, there were more purchasing offences (that is, obtaining sexual services) as well as third-party offences related to procuring or receiving a material benefit from the sexual services of others. The vast majority of these offences were committed by men. Over the five years following the change in legislation, men accounted for 93% of individuals accused in sex trade-related crimes, compared with 60% in the five-year period prior to the PCEPA.

There was a notable increase in the number of men accused in incidents of a purchasing offence after the PCEPA, mainly due to the introduction of a new offence that specifically prohibited activities related to the purchase of sexual services from an adult. The number of men accused of obtaining sexual services from an adult or from a minor increased from 132 in the five years prior to the new law to 2,489 in the five years after. Most men (92%) accused of these offences were criminally charged.

After the change in legislation, more than four in five (83%) men tried in court for the new offence of obtaining services from a minor were found guilty. One in seven (15%) men accused of the new offence of obtaining sexual services from an adult was found guilty.

The most common sentence for men convicted of obtaining sexual services from an adult was a fine, imposed on more than three-quarters (77%) of convicted men. However, it should be noted that a fine is the mandatory minimum sentence for this offence.

## More third-party profiting offences after the new law

The change in legislation also aimed to shift the focus to third parties who profit from the sale of sexual services of others (procuring or receiving a material benefit from the sexual services of others).

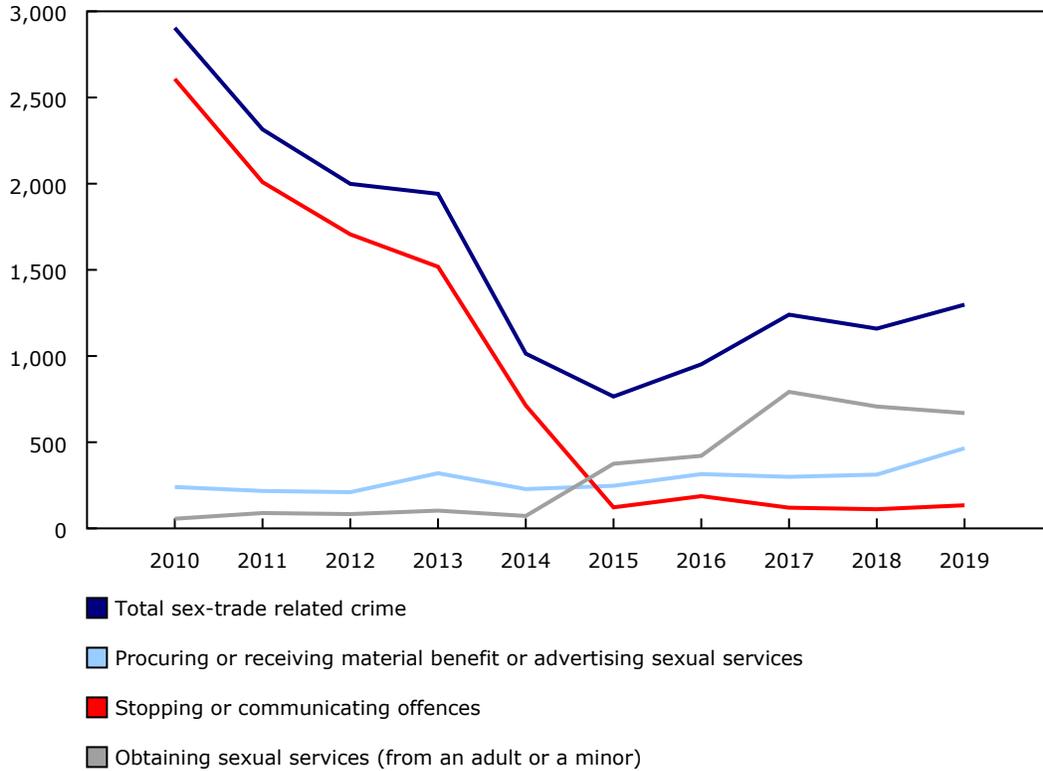
Overall, there was an increase in profiting offences involving third parties, driven by incidents involving men. From 2010 to 2014, 472 men were accused in incidents involving a profiting offence. In the five years following the PCEPA (2015 to 2019), the number of men accused in these incidents increased to 667. Conversely, between these two periods, the number of women accused declined from 237 to 162.

Charge rates in incidents of procuring or receiving material benefit from sexual services saw little change in the five-year period before and after the new legislation, with over two-thirds of accused men and women charged, both before and after the PCEPA.

Men were more likely than women to be convicted of a profiting offence before and after the introduction of the PCEPA. With respect to criminal convictions, profiting cases had a higher conviction rate (46%) than purchasing offences (24%) in the five years following the legislative changes. Men convicted of a profiting offence were most often sentenced to custody (76%), whereas women were sentenced to probation (40%) or custody (38%) for a profiting conviction. Nearly all (19 in 20) women sentenced to custody for a crime related to the sex trade between 2015 and 2019, were convicted of a profiting offence.

**Chart 1**  
**Trends in sex trade-related crime, Canada, 2010 to 2019**

number of incidents



**Note(s):** One incident may involve multiple violations. Counts are based upon the most serious violation in the incident.  
**Key dates:** Ontario court rules prostitution laws unconstitutional (2010); Supreme Court Canada (AG) v. Bedford ruling (2013); PCEPA (Bill C-36) implemented (December, 2014).  
**Source(s):** Statistics Canada, Canadian Centre for Justice and Community Safety Statistics, Uniform Crime Reporting Survey.

### Note to readers

This release is based on a Juristat article that presents information on police-reported incidents related to the sex trade in Canada before and after the introduction of new provisions in the Protection of Communities and Exploited Persons Act (PCEPA). This report is primarily based on data drawn from the Uniform Crime Reporting Survey (UCR), an annual census of all crime known to and substantiated by police services. For the police-reported UCR analysis, the unit of count is the incident, which may have multiple victims/accused as well as multiple violations/offences.

This analysis focuses primarily on incidents where the most serious violation reported by police in the incident was related to the sex trade.

In addition, the study also looks at cases completed in adult and youth criminal court where a sex trade-related crime was the most serious offence in the case. Fluctuations in counts between years or across police services are common and may reflect changes in police enforcement of laws related to the sex trade, as opposed to the actual prevalence of sex trade activity in a given year or community. Clusters of arrests may be made when police services undertake sting operations.

The statistics presented in this article are based solely on incidents that come to the attention of and are reported by police. Data used in this report was pooled and is primarily examined in terms of the five-year periods before (2010 to 2014) and after (2015 to 2019) the change in legislation. Time periods are presented differently depending on the collection schedule of the survey (that is, police statistics are collected annually by calendar year and court statistics are collected by fiscal year).

### Offences included in this analysis

**Purchasing offences:** Includes obtaining sexual services from a minor, which precedes the PCEPA, and obtaining sexual services from an adult, a new offence introduced by the PCEPA. These also include communicating for the purpose of purchasing sexual services.

**Profiting offences:** Offences related to procuring or living on the avails of or receiving material benefit, including procuring of an adult or a minor, receiving a financial or other material benefit from others' sexual services, as well as of advertising of others' sexual services, a new offence introduced by the PCEPA.

**Stopping or communicating offences:** Includes stopping or attempting to stop a motor vehicle in a public place, or impeding the free flow of pedestrian or vehicular traffic in a public place, for the purposes of either purchasing or selling sexual services. Prior to the PCEPA, communicating in a public place for the purposes of either purchasing or selling sexual services was prohibited. This was changed by the PCEPA to prohibit communicating for the purpose of offering or providing sexual services in a public place, and excluded the activities of the potential purchaser now covered under purchasing offences.

### Definitions, data sources and methods: survey numbers [3302](#), [3312](#) and [3315](#).

The Juristat article "[Crimes related to the sex trade: Before and after legislative changes in Canada](#)" ([85-002-X](#)), is now available.

For more information, or to enquire about the concepts, methods or data quality of this release, contact us (toll-free 1-800-263-1136; 514-283-8300; [STATCAN.infostats-infostats.STATCAN@canada.ca](mailto:STATCAN.infostats-infostats.STATCAN@canada.ca)) or Media Relations (613-951-4636; [STATCAN.mediahotline-ligneinfomedias.STATCAN@canada.ca](mailto:STATCAN.mediahotline-ligneinfomedias.STATCAN@canada.ca)).