

# Offences in relation to prostitution under the Criminal Code:

*(You can be busted even if the police officer tells you he or she is not a police officer, shows you identification, or communicates for the purposes of prostitution)*

**Section 213:** Every person who in a public place or in any place open to public view :Stops or attempts to stop any motor vehicle - Impedes the flow of pedestrian or vehicular traffic - Stops or attempts to stop any person or in any manner communicates or attempts to communicate with any person for the purpose of engaging in prostitution or of obtaining the sexual services of a prostitute is guilty of an offence punishable on summary conviction.

**213(2):** "Public place" includes any place to which the public have access and any motor vehicle in a public place or in any place open to public view.

**Section 210:** A person keeping a common bawdy-house (a place kept,

occupied or frequented for purposes of prostitution or indecent acts (including an escort service or erotic massage) may be imprisoned for up to two years. A person occupying or found unlawfully in a bawdy-house, or in control of such a place, and allowing prostitution-related activities to occur, may be imprisoned up to six months and/or fined up to \$2,000.

**Section 211:** The act of taking, or of transporting, someone to a bawdy-house. A taxi driver or a friend could be charged for transporting you to your workplace.

**Summary offences** carry a maximum six-month jail term, a \$2,000 fine, or both.

**Section 212:** Procuring or soliciting another to engage in prostitution or illicit sexual intercourse; enticing a person who is not a prostitute to a place for prostitution; encouraging or forcing someone to prostitute for gain; enticing an individual to take drugs or alcohol to enable anyone to have illicit sexual activities; living on income earned through another's prostitution activities

**Procuring offences:** Imprisonment up to 10 years if the client attempts to live off the income of a sex worker under 18, or attempts to purchase the sexual services of a person under 18, the maximum term of imprisonment is up to 14 years.

**Fingerprinting and photographing of individuals are ONLY permitted for indictable and hybrid offences.**

# YOU HAVE THE RIGHT TO BE TREATED WITH DIGNITY AND RESPECT!

## THE POLICE

### **You must identify yourself if:**

- You are under arrest.
  - You are driving a car.
  - You are under the influence of drugs.
  - You are found in a public place.
  - Basically if the police officer decides it is appropriate.
- (Reality: you may avoid other charges if you cooperate)*

### **A police officer can search you if:**

- They have reasonable grounds to believe that you are in the process of, or on the point of, committing a crime.
- Request an officer of your gender if they want to do a full body search.

### **A police officer can search your home if:**

- They have a warrant-check for your correct name, charge and signature of a judge-the officer must show it to you.

### **You can be arrested if there are:**

- Reasonable grounds to believe that you are in the process of, or on the point of, committing a crime.

### **You must be formally accused of committing a crime before an officer can arrest you.**

- If not, you do not have to go with the police officer.

### **If you are arrested:**

- The police officer is obligated to tell you why and what your rights are.
- You are obligated to give your name, address and date of birth.
- Remain silent until you have legal representation, anything you say may be used against you.
- If you do not have a lawyer, the police are obligated to provide you with legal aid contact information.

- It is a really good idea to get the name and badge number of the police officer, and any witnesses present.

### **TIPS:**

- Keep a low profile, the less visible you are the less likely you will be a target.
- Stay current with local politics, community outcries, and events that may cause police to target sex work.
- Provide out call work only, in call work is illegal.
- Avoid negotiating in public places (i.e. hotel lobbies, street, bars, cell phones or public pay phones).

### **RECORD:**

- Details of everything that happened .
- Name/description/badge number/license plates/car numbers-police officer.
- Name and description of witness(s).
- Photos of injuries & Medical certificate which describes the injuries.

**If your rights are violated, call:**

Legal: Calgary Legal Guidance: 234-9266  
Support: Shift (AIDS Calgary) 237-8171