House of Commons
CANADA

Subcommittee on Solicitation Laws of the Standing Committee on Justice, Human Rights, Public Safety and Emergency Preparedness

SSLR • NUMBER 016 • 1st SESSION • 38th PARLIAMENT

EVIDENCE

Wednesday, March 23, 2005

Chair

Mr. John Maloney

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● (1850)

[*English*]

The Chair (Mr. John Maloney (Welland, Lib.)): I call the meeting to order.

We apologize for our late appearance this evening, which was because of the vote. We thought we had postponed the starting time of the meeting long enough so that we wouldn't be delayed, but the vote took longer than we anticipated.

Appearing before us this evening is the Hintonburg Community Association. Mr. Leiper, I believe you were here the first evening we started our discussion. With him are Cheryl Parrott and Jay Baltz.

The routine is roughly a ten-minute presentation, followed by questions and answers, with a first round of seven minutes and the second and subsequent rounds of three minutes each.

Whoever will be making the presentation, please proceed.

Mr. Jeff Leiper (President, Hintonburg Community Association Inc.): Thank you, Mr. Chair.

Thanks, first of all, to this committee for the opportunity to present our views this evening.

My name is Jeff Leiper. I'm the president of the Hintonburg Community Association. With me are Cheryl Parrott, who chairs our security committee, and Jay Baltz, who is a past president of the association and a member of our board. We represent a community that's about a 15-minute walk from here.

For almost 15 years Hintonburg has witnessed the complex issues related to street prostitution first-hand. We don't believe that street prostitution is solely a criminal problem. Declaring the problem solved simply because laws have been repealed will not make the lives of street prostitutes any safer or provide protection to communities.

We believe that the issue of protecting women is a social one. We know from extensive experience in our community and in the many others across Canada with whom we work that the women who are engaged in street prostitution are the victims of drugs. These women are not stably housed. For the women on our streets, prostitution is not a choice.

Unfortunately, communities and prostitutes have both been abandoned by our politicians, who steadily dismantle our social infrastructure, which is the only hope of helping women on the street. Instead, we find ourselves before a committee examining the quick fix of Criminal Code changes that will do neither us nor the women on the streets trapped by prostitution any good.

Our frustration is that these changes are being considered in what we perceive as a “one size fits all” way. Communities struggling with street prostitution are not all the same. Parts of some cities have become containment zones. But we would like to stress that Hintonburg is a community that works.

Yet, living with street prostitution is a nightmare. Prostitution and drugs are inextricably linked. The confluence of johns, prostitutes, and drug dealers renders some of our streets unsafe. Living next door to a drug house means 24 hours a day of screaming and fights on the sidewalk. I would invite all of you to come with me for a drive one night to follow the johns who slow to a crawl whenever they see a woman of any age walking down the street. It's terrifying, and many women in our community don't venture out after dark.

We can go looking for the needles and the condoms in the parks and school grounds. Our community has four growing elementary schools and a middle school. We can tell you the stories of school kids solicited by johns. In fact, children have to learn at a very early age to recognize prostitutes and their dealers and what to do with needles.

My intention tonight is not to list the horrors of street prostitution in communities. We have not been given enough time to focus on the problem as opposed to the solution. We hope you'll make a careful read of our document dispelling the myths, which you will all be given a copy of, and we will be more than happy to answer your questions.

Cheryl.

● (1855)

Ms. Cheryl Parrott (Chair, Security Committee, Hintonburg Community Association Inc.): This isn't a problem that can be adequately addressed by eliminating laws. We believe that legalization will only send the message that is it acceptable to victimize women on our streets. The women who work the streets of Hintonburg are ill. They cannot support themselves by renting beds in brothels. They cannot pass health inspections that would allow them to work as prostitutes. They do not rent apartments in which to work as in-call or out-call escorts. They're too ill to be relied upon to work in massage parlours. Women working the streets of Hintonburg are not in danger because of the laws; the danger comes because they are prostitutes addicted to drugs and are trapped in a violent culture. And this is a very violent culture. Unless something is done to offer them an alternative they will work the strolls in residential communities. That is a fact that no legalization can change.

Legalization might make life easier for those prostitutes who are not working as a result of addiction. But the real problem, and the problem being addressed by this committee, is the women who have no choice left and who fight for their survival every night on the street. Changing the laws offers them no hope. Legalization will only give carte blanche to johns to continue to exploit these women now without any check on the johns' behaviour or the terrible toll it exacts on our communities.

If prostitution is legalized, who should we call when the johns take over our streets, which they have done? We believe this discussion is taking place in a disturbing vacuum. These legal discussions do nothing to provide the solutions that are really needed: programs to identify children at risk, substance abuse programs, adequate detox beds, supportive housing, and training programs that help women escape the cycle of violence and addiction that puts them at the risk of violence in the first place. Legalization proponents would throw the most vulnerable women on the mercy of the streets, while governments fail to act to meet the social contract they have with the citizens to help those most in need.

We don't believe the solution to the violence that johns perpetrate against prostitutes is to remove the laws that help prevent it. As much as street prostitution is linked to drugs, so too is it linked to violence. Current laws are recognition that this violence has a terrible impact on both women and communities. These must be retained.

The Hintonburg Community Association has first-hand experience that we would like to share, related to our founding of Ottawa's John School—which was the second in Canada—, our fight to save the detox beds this summer, our support for diversion into rehab through a drug court that we hope the federal government will fund, and our grants and publications in this area. We hope we can further explore these during the period allotted for questions and are pleased to offer our help throughout the time this committee is examining these important issues. Again, we invite you to our community.

Thank you.

The Chair: Thank you very much.

Mr. Hanger, you have seven minutes.

Mr. Art Hanger (Calgary Northeast, CPC): Thank you, Mr. Chairman.

I would like to thank the members of Hintonburg community.

I would like to hear more from community members. In fact, our committee has heard mostly from advocates of substantive change, I would have to say, in regard to criminal law, but not a lot from communities that are really going to be or have been impacted by prostitution that operates sometimes, I think, with impunity within the community setting.

I'm wondering what your collective thought is on issues of removing all laws regarding prostitution, and when I say all laws—this has been something that many have testified on in front of the committee—even laws such as the bawdy house laws, the living off the avails. What do you see as a model that would replace that? What would you see a community looking like if all of these laws were removed? What experiences might take place within the community if such laws were removed and if the prostitute—and I have to say this has been testimony by numerous people before our committee—were held in the same esteem as someone else who may live in the community, such as a nurse, police officer, mechanic, or somebody of some other profession, and those individuals were living among everybody else as professionals?

● (1900)

Mr. Jeff Leiper: First, I should note that the prostitution that's occurring in our community, the street prostitution, is not necessarily taking place with impunity. We've forged some really strong relationships with the city in order to try to get at this problem from a number of different angles.

We can only speak to the experience of street prostitution. We can't speak to the experience of escorts, of massage parlours, of bawdy houses such as that run by Terry-Lynn Bédard, I think her name was, a few years ago. All we can talk about is street prostitution, because that's what we know and what we've been dealing with in our community for 15 years.

If all the laws were removed, it would look much the same as it does today. We believe the women who are working on our streets are not doing so out of choice. We know first-hand that they are doing what they are doing because they are addicted to hard drugs, like crack cocaine. They need to work close to their supplies of drugs, and unfortunately those supplies of drugs are in neighbourhoods like ours, where there is some significant economic disadvantage and where absentee landlords allow their homes, either explicitly or ignorantly, to be used as drug houses. That's why our neighbourhood is a stroll. Strolls have been around. It's a practical way to do business.

So as long as there are women who don't have a choice but to work the streets, and as long as residential neighbourhoods afford places where that sort of activity can take place, we don't feel that it's going to look any different from what it does today in our community, except for the fact that now the johns will be able to work the stroll or to look at the stroll with impunity. That means that more women are going to be tailed when they walk down the street, whether they're 14 years old or whether they're 64. That means that we're going to continue to see the fights that happen between people who are feeling the effects of hard-core drugs like crack cocaine.

We don't believe a registration scheme or a scheme to open red light zones or brothels is going to necessarily help our community. We can't see registration happening with people who are sick. We don't think, practically, the people of Canada are going to say yes to a registration system that allows sick people with hepatitis C and HIV to work as prostitutes, which means, practically, the setting up of red light zones in which registered people work as sex workers.

As long as there are health requirements to pass, as long as there is a requirement to rent space, the people who are working on our streets who are poor, who are using their money to fix, who don't have transportation or homes of their own are going to continue to work the stroll, and the stroll is going to continue to be in our neighbourhood.

I don't know if Cheryl or Jay want to add to that.

Ms. Cheryl Parrott: If the laws are removed, that's a huge fear for me, because I think then we have nothing. At this point, when we have a john sweep, it reduces the traffic in the area. It slows things down. It quietens things down. It's the only law that we have at this point, and it helps us. If we have no law, to me, it's a disaster.

I think we've analyzed it over a number of years. Where the drugs are is where the prostitutes work. So if you have a red light district over here, it doesn't matter; if the drugs are here, they will work here. They never work more than a couple of blocks from the drug house. We've watched it very closely over the course of this past year, and it's tied entirely to the drugs.

● (1905)

Mr. Art Hanger: Does the activity on the street spill out beyond that street? Does it have an impact ten blocks over from where you are, for instance, or is it basically confined?

Mr. Jeff Leiper: I think Cheryl can tell you about the nexuses of activity that arise in communities like ours and how that spreads out.

Ms. Cheryl Parrott: It moves. As the houses move, it moves. But the problem is it doesn't stay away from certain areas.

Right at the moment, it's near a primary school. That's because the drug house is near there. It's not an easy job to bust the drug house, as it were, or a place that is for using but not for selling. It's very difficult for the police to do that. So the focus, then, is around there, whether there's a public school there or not. It then has a huge impact when you have it right near a public school, and it impacts people in a greater area. It can be several blocks, but then it moves. A month later, it's over here.

Mr. Jeff Leiper: But the johns don't know it's moved. The johns have a large area they're going to cruise down.

Mr. Jay Baltz (Board Member, Hintonburg Community Association Inc.): It's not just the street prostitution itself and the drugs that go along with it that are an issue; it spreads. There's a bar right on our main street that is mainly frequented by people who are on drugs or are in street prostitution and their friends. That bar is known as a place you stay away from; you never go near there at night, and that's a whole strip of the main commercial street. It's this street, Wellington Street, in fact; it's just its continuation off to the west.

It spreads through the whole community. It breeds crime as well because the women mostly fund their purchase of drugs through street prostitution, at least in our community. The men don't. The men are involved in break and enters and other types of activity like that, and it spreads through the whole community. We see this effect for blocks and blocks.

Mr. Art Hanger: Now, this committee has heard from numerous experts that it would be wise for the committee to consider removing the stigma from prostitution, allowing the prostitute to function within the broader community like any other professional. How would you look upon that?

Mr. Jay Baltz: The problem here is that it may very well work for people at the higher end who are using prostitution mainly as a way of making a living, such as those in escort services. The women here are addicted to drugs first; the prostitution is just a by-product. It's not a job they choose to have as a way to make a living, where if you took the stigma away, they could just do this like everyone else.

The main problem they're having is that they are usually ill and dysfunctional enough from the addiction that they can't function, really, in any way. That's the most dangerous aspect of just trying to take away the laws or trying to have a regulation scheme. It may very well help some people, but then we're going to consider that we've now taken care of this problem in Canada, while the women who are addicted to drugs and are still stuck on our streets will then be even more ignored than they are now.

What's needed isn't to say what you're doing is okay, that being addicted to drugs, stuck on the street, not stably housed, and in danger all the time is somehow okay. What we need to do is get to the root of this problem in some way and have more treatment services.

We almost lost all the detox beds for women in Ottawa last year. As of now, we have six beds or slightly more. The services for dealing with this problem are completely inadequate. That's what's contributing to the fact that these women are on the street, abandoned, and at the mercy of johns.

● (1910)

The Chair: Mr. Hanger, we have to move on. We've exceeded our time. We'll come back.

Madame Brunelle.

[*Translation*]

Ms. Paule Brunelle (Trois-Rivières, BQ): Thank you, ladies and gentlemen. Thank you for coming here.

I'm trying to get a grasp of the situation. You're talking primarily about street prostitution. There are, as you know, several forms of prostitution and problems vary greatly, depending on the communities. If I understood correctly, you're talking about street prostitution and prostitutes who are drug addicts. Is this type of activity or kind of problem restricted to a particular neighbourhood or to one area in your community Tell us a little about this neighbourhood? Do families live there? What is their income level? Is the neighbourhood home to low-income families? Tell me a little bit more about this community.

[*English*]

Mr. Jeff Leiper: Thank you very much for the question.

We represent an area that is bound within an area that is about a kilometre and a half wide. There are about 6,000 people there and it's very mixed in terms of demographics. One side of our community is an older community of wood homes, very affordable. People have lived in them for decades and decades. It is working class.

We have some more expensive homes on the other side of Wellington Street, brick, where there is more economic activity taking place. For the most part, though, our neighbourhood is very much a working-class neighbourhood. We don't have a Starbucks. There are no designer clothes shops. It's mom-and-pop shops that have a tough time staying open on the street, and that's partly the problem in our community. Some of its economic disadvantages, as an urban neighbourhood, have led to homes being used as drug houses. This isn't something that's going to happen in Orleans and it's not something that's going to happen to the west of us in Westboro, for example.

We're an incredibly child-heavy population, as well. You really can't walk anywhere without bumping into children. People have decided in the past decade or so that they want to live in cities. They don't want to live in the suburbs any more, so people are raising families here.

To give you an idea of how some of the activity might take place, I live on one of the streets. The church parking lot at one end of my street is used for sex acts, and at the other end of my street is where the johns cruise to pick up the street workers.

I don't know if there is any street, except for a few, where prostitution activity doesn't take place.

Ms. Cheryl Parrott: It's not the only community in Ottawa where it takes place. There are four major strolls in Ottawa—our community being one of them, Vanier, Centretown, and Lowertown—which are all in this area around Parliament Hill, and are similar types of neighbourhoods.

I would say our community is very diverse economically. We have people who are well off. We have people who are on welfare. Socially and ethnically it's a very diverse community, but it works together.

This past summer we had an upsurge in drugs, and what we saw was a community that came together. We had 300 people who were saying that people can't accept this; you cannot raise a family and be safe. No matter what your politics are, there is a safety issue that goes with it. It's a very diverse neighbourhood, as well.

I don't know if that answers the question.

[*Translation*]

Ms. Paule Brunelle: It seems to me that wanting a pleasant, safe community is a highly legitimate goal for people to have. I can understand very well the problems you have. Moreover, we know that prostitution is not about to disappear, that it's on ongoing problem. We must try to see how we can minimize the inconveniences and ensure that communities are reasonably safe places. I understand why you find the situation unacceptable. Some communities have adopted zoning regulations to establish red light districts. Have you thought about adopting a similar approach?

● (1915)

[*English*]

Mr. Jay Baltz: Again, I think we have to come back to the idea that this is not something that can be zoned or regulated away from our neighbourhood. This is not being driven by it economically being the best place to have this business; it's being driven by the fact there are drugs available nearby and that it is the way these women are getting money to buy these drugs. They're barely hanging on. I don't think there's going to be much of a disincentive for them, if they're breaking the zoning laws at the same time.

The flip side of this is that unless we create the type of environment where it's zoned, where they can also purchase the drugs and have available housing of some sort that's flexible—because right now they move from house to house to house, and there's not usually enough money left for them to purchase stable housing.... So it depends on what you are talking about creating. But you would have to create an area somewhere in each city that provided drugs, that provided places to inject, and provided everything that is happening on the street now and said it was okay, and had it far enough away from other people that it didn't cause the problems it does in our community.

We don't think that's practical. We think that unless you attack the root cause of what is causing women to have to do this, it's just going to stay; there's not going to be any incentive, nor is there going to be a way of convincing everybody who's involved in this to move away into some area that is set up by zoning or by the city.

Ms. Cheryl Parrott: I also think that looking at having municipalities try to regulate this as a bylaw enforcement issue is impossible and unworkable; it just cannot work. Cities at this point are overtaxed and can't police the bylaws they have right now, let alone have the enforcement ability or manpower to try to enforce people staying in an area to work. It is just unworkable, completely unworkable.

The Chair: Ms. Davies.

Ms. Libby Davies (Vancouver East, NDP): Thank you very much.

First of all, thank you for coming tonight. I know you've been very involved in this issue.

I would certainly agree with you, Mr. Baltz, that we have to look at root causes. That's a very important thing. What I've learned is that in a lot of community organizations, whatever their perspectives are, people start at the point of the impact. But I think that when you get into this area, you have to move back from that. That's where a lot of people get very concerned because they're living with impacts. But when you start trying to figure out what you do about those impacts, you get into some pretty complex questions. Certainly one of the solutions is dealing with root causes.

You seem to make a suggestion that we're looking at legalization. We had one witness who actually suggested legalization, a councillor in Halifax, but most everybody else has supported some form of decriminalization, and some have advocated for a stronger law presence. So legalization has come up a bit, but it really hasn't been a big issue. Similarly with red light districts, I think most people felt that wouldn't be the answer.

If we look at this as a broad-ranging impact issue and we look at what some of the root causes are, such as addiction when we're talking about the survival sex trade—and I would certainly agree with you on that—we need to do a number of things and to have a comprehensive approach. It seems to me part of that is what you actually do in terms of what's happening on the street right now. We do experience welfare cutbacks. We do experience a complete lack of detox facilities. We have that in Vancouver, too. It's absolutely appalling. So we go to bat on those things. Meanwhile, those women are still out on the street. So I think that has to be part of the question.

I think you've been very clear about what you don't want to see, but I'm also interested in what you think we should do and what is possible in terms of those women being out on that street tonight both affecting your community and being very much at risk themselves. For example, the Salvation Army, when they came as a witness, advocated for decriminalization for the sex trade worker.

I'd like to be clearer about what your position is. Are you advocating that we basically keep the law as it is and that you'd like to see better law enforcement in the hope it would protect your community? I'm skeptical about that, because we've had that for twenty years and it seems to me not an awful lot has changed. In fact, the situation has deteriorated. The communication law was meant to be a way to protect communities. I don't think it has. Perhaps you could speak about what you are advocating in terms of the law. Are you talking about more of the same, or are you talking about some sort of law reform being accompanied by other kinds of measures we need to take up and recommend, some of which are provincial, some of which are municipal, but for sure there are also federal ones, so we have to push there too? Perhaps you could be clearer about that.

● (1920)

Mr. Jeff Leiper: We are asking for the status quo for the communication laws. We believe those give the police the power they need to do john sweeps. In ten years I think we've had something like a thousand men go through the john school. It has an impact. It mitigates the harm in our community by giving the police the tool to try to deter johns from the really harmful activity they're doing in our community. We support that tool.

Ms. Libby Davies: Do you feel that your situation today is about the same, better, or worse than it was five years ago?

Ms. Cheryl Parrott: I would say it's better.

Ms. Libby Davies: Could you quantify that?

Ms. Cheryl Parrott: We don't have johns trolling the community the way they did. They are still there, but there are fewer of them.

Ms. Libby Davies: How are they getting their customers, then?

Ms. Cheryl Parrott: They're not harassing the women who live in the community as much. They still do. They still harass women who are walking, including elderly women and women with kids. They harass many women, but less so. It's a quantitative difference since john school and the sweeps were implemented about ten years ago.

Ms. Libby Davies: Do you feel it's new customers who are out there, then, if john school has been effective? Is it a whole new round of people, and you're just doing round after round? Really, what advancement are we making if you believe that was a good strategy?

Mr. Jay Baltz: It's much better than it was.

The history in our community is the activity was pushed out of the market area to keep it away from the tourists, and that's when it appeared in our neighbourhood. At that time it was like the wild west; women were soliciting on the main street in traffic, stopping cars. A couple of the buildings along Wellington Street were essentially taken over and were being used as advertisement. You couldn't walk or drive down the street without being stopped, and there were constant fights and violence.

That's much better now, but it's because the laws we have now have been applied. Our experience is that what made it better were the repeated sweeps, and the education of these men that this is not a good thing to do. All of us have sat through the john school to see what they do; Cheryl actually presents at the john school. And it does work; the recidivism rate from the john school is fairly low. It is very low.

Ms. Libby Davies: Do you see the prostitutes as a part of your community?

Mr. Jay Baltz: They certainly live in the community. They're people who need a lot of help that they're not getting. They're not, in their present circumstances, contributing positively to the community, but that certainly doesn't mean they don't need to be helped. We just don't believe simply decriminalizing or legalizing is going to give them any more help than they have now. In fact, we fear it sends a message to the johns that this is okay, that it's no longer illegal; it's been either decriminalized or legalized, and what they want to do—the way they want to exploit women on the street—is now fine.

As I understand it, this whole issue has arisen because of the violence johns have been inflicting on women in the sex trade on the street. These are still going to be violent guys. They're still going to be out there somewhere, and without their being picked up and without the sweeps finding out who they are, we're going to have even less an idea of who the violent men are out there, trying to find women to exploit and to hurt on the street.

● (1925)

Ms. Libby Davies: One of the problems we've heard, though, is that because of the communicating law, the sex workers themselves are very reluctant to report the violence, because they themselves become subject to possible enforcement. The role of the law, from different people's perspectives, can be very different. Everybody is very concerned about violence, but part of the problem is if what you're doing is basically illegal, it becomes very difficult to report that activity. In fact, we've had witnesses tell us that when they do even report that activity, they then possibly become subject to harassment by the police, or even under investigation, and were being charged themselves. That is certainly one of the problems we're trying to deal with: What is the impact of this law in actually protecting people, and who is it protecting?

Mr. Jay Baltz: I certainly understand that.

We can only speak about our community. In our community, the women who are on the street are very well known already by the police. They would not be exposing themselves or their identities by going to the police with any information. That doesn't mean they feel comfortable doing it.

Ms. Libby Davies: Do they get harassed by the police?

Mr. Jay Baltz: I would not want to answer it in that way, because they don't get harassed by the police; the laws are being enforced by the police. The police seem to be reluctant to target people unless they're actually doing something. I don't think we have any issues of the police going out and finding women who they know are involved in that activity—when they're not—and bothering them, harassing them, and telling them to get off the street. No, I think the police do—mainly through sweeps—enforce the law.

The Chair: Thank you, Ms. Davies.

Madam Fry.

Hon. Hedy Fry (Vancouver Centre, Lib.): Thank you very much.

I always say it's terrible to follow Libby because she tends to ask most of the questions I want to ask myself.

I hear what you're saying, and we have heard from many community groups for whom this is a problem because it's in their community: their children are playing on the streets, their children trip over condoms and needles in the park, and people are soliciting around the school zones.

I also think it's a very good point that a lot of these women in this particular area are not doing this by choice. They are in fact exploited because they are on drugs; drugs are the exploitative vehicle. I agree with all of those things.

I also wanted to clarify a question. Someone said these women have hepatitis C and HIV and they're out there working. Do you then think people with HIV and hepatitis C should not be working, period, not just as prostitutes but not working at all?

I've highlighted a couple of things you've said. I agree with you that these women are obviously exploited through drugs, etc., but what if some women want to do this by choice? How would you see that being facilitated? Let's forget this group of women for a minute. This is a question I'd like to ask.

Second, what would you see as a model for women who want to do this, who choose to do this? I noticed you talked about the women here being sick versus the higher-end group. Is there a difference, in your mind, between the women who are exploited and the higher-end women? Is the problem really that some women are forced to do it as opposed to those you don't see who make a lot of money doing it?

Those are not sarcastic questions. They're very real questions, because I think they go to the heart of what the problem is in many cases.

You said over a thousand johns have gone to john school and there are fewer johns on the street, but Ms. Parrott said many of them were new people. Obviously, this has become a revolving door. In other words, picking up johns and sending them to john school is not solving the problem.

However, you said it's better in some ways, so my question is, better for whom? If it's better for your community in that there are fewer johns or fewer problems with drugs and it's therefore safer for your community, I buy that. That's a reasonable thing to suggest. But what has happened to the people who are not there any more? Where have those prostitutes who are not on the street gone? Does it matter where they go, or is it a case of just as long as they're not where you can see them? In other words, if they went somewhere else, would that be okay?

You've suggested keeping the laws as they are, but I see the one law, for picking up the johns and enforcing, as actually not helping the women on drugs. It's not helping them with their health issues and not helping them with the exploitation issue. It's just really stopping people from coming around the streets, so it doesn't solve what you call the bigger problem.

The question, then, is how to come up with a way of zoning or whatever to deal with this, actually dealing with the root causes, as you said, one of which is substance use, which is not dealt with by getting rid of johns; one of which is lack of skills, etc., to do work; and one of which may be that there are actually people who want to work on the street. It would be a comprehensive thing, one that would talk about preventing the root causes and would deal with the problem, the harm that is done to women who do this.

I'm trying to find, therefore, a way to have a package. It's not one thing; it's a package of things, a comprehensive set of solutions that will deal with all of those issues. If we hear that decriminalizing only tends to criminalize victims, then the question is, what do we do to stop criminalizing victims and what do we do to really help them and solve the problem in the long term?

● (1930)

Mr. Jay Baltz: I'd first like to address the question of who is sick and how do we know it.

This is volunteer work. For my real job, I'm a professor in the University of Ottawa's Faculty of Medicine and associate chair of the obstetrics and gynecology department. I also am on the city's advisory committee that advises on needle exchange. So I have some expertise in the area.

It's hard to tell how many women who are actually working in street prostitution are infected with the various viruses you talked about. However, there are good stats in Ottawa from Lynn Leonard's studies at the University of Ottawa on intravenous drug users who are clients of the site van, which is a needle exchange van, and their partner agencies. It's about 20% for women HIV/AIDS positive, and almost 80% are hepatitis C positive right now. At least from our experience on our streets, the women who are working as street prostitutes and the ones who are using the site van and the needle exchange are almost completely overlapping. I think that's probably a good set of numbers for the women who are engaged in our community in street prostitution. So they are sick.

I think one of the issues that has to be dealt with at a higher level than individual communities is what do we do with people who are sick and dying on the street when we can't even reach them? One of the answers has to be that we have to have the right type of outreach to get to these people and get them somehow out of that desperate situation.

Where I think we disagree with maybe many of the witnesses who have been here is in the way to do that. We do not believe that a rational first step would be to get rid of the laws that either decriminalize or legalize one of these activities. You also still have the problem that they're addicted to drugs, and there's a whole other set there.

Hon. Hedy Fry: I'd like to get some positive solutions. I know what you don't agree with. What are some of the things you do think?

Mr. Jay Baltz: The positive solutions are to have enough funding for treatment and outreach, to actually reach the women who are so desperate that they're doing this. They need medical care that they are not getting. They need real harm reduction, not just the stopgap of giving out clean needles, but getting them into stable supportive housing. Many of these women are never going to come so far back off the street that they are going to be fully functional. Many of them are very sick and have been doing this too long.

One of the members of the steering committee on needle exchange I talked about is someone who came back completely and is now an outreach worker herself. So it can be done. She only got there because of the availability of detox and people caring for her and somebody from the site program going out there and doing that. And it works, but it costs a lot of money. I think just getting rid of laws doesn't cost a lot of money and may be seen as a quick fix that can be done.

● (1935)

Hon. Hedy Fry: What if that were part of the comprehensive package you're talking about?

Mr. Jay Baltz: I think you need to do the hard work first and put the infrastructure and the safety net in place, and then if it's seen to be working, we talk about legalizing or decriminalizing the last remaining activity. To do that first in the wave risks taking one of the only tools we have now to identify who the violent johns are, and if the rest of the comprehensive package fails to work, we have still lost the tool for dealing with what happens to our community.

Mr. Jeff Leiper: Ms. Fry, you asked about those women who want to work in this industry—the model exists, it's clear, and the police ignore it—and that is to be found in the back of any *Sun* paper across the country. There are numerous sex industries that operate with the tacit approval of the police, unless they find out that people are being kidnapped or working in it against their will. There are any number of ways women can work with sex to make a living if they so choose. We don't believe street prostitution is something that any woman would choose as a way to make a living.

The Chair: Last question, Ms. Fry.

Hon. Hedy Fry: He's setting some creative definitions.

Do I have a minute, or have I gone over? If I've gone over, I'll wait for the next round.

The Chair: You've gone over. On the next round again we'll have to be brief in our questions and brief in answers in order to.... We're beyond our timeframe now, but we very much appreciate hearing from you.

Dr. Hanger, do you have a brief question? And let's perhaps have a brief response, please.

Mr. Art Hanger: I'm not a doctor, by the way.

I have a thought that the issue of what to do with the soliciting laws really starts impacting on all the prostitution laws. This is the issue. If you get rid of them, then your environment, so the reason goes, would be taken indoors, and women would be able to set up shop in the community out of their house, as in one model in England where it is permissible for the prostitute to operate out of her own place as long as there are no more than maybe two people doing the same thing.

In Amsterdam it was legalized, so to speak, which to me amounts to the same thing as decriminalizing it, and there's more illegal prostitution under the bylaw, with no criminal charges involved, than there are licensed girls working about. So the dilemma is, I guess, when you get rid of the soliciting law and then have the bawdy house law, which prohibits someone operating out of their own home—out of an apartment or a house—if anyone else is living with them they are then subject to a law that would impact them: “living off the avails”.

It is implied here with some of these questions that this is the route we would have to pursue. How do you see that? What model would you see, if the soliciting law were to be removed? Quite frankly I agree with the witnesses here right now: I don't think it should be. But what would you see as an alternative?

● (1940)

Ms. Cheryl Parrott: Let me respond, maybe not answering your question exactly to the point. I think we're looking at two different things. It's not going to move it indoors. The street prostitutes are not going to move indoors. There are two reasons. One is they have to be around the drugs. The other is that the john who looks for the street prostitute is very different from the john who goes to an escort agency or who goes to a massage parlour. They're two different characters.

The men who go to street prostitutes are looking for something cheap—ten or twenty bucks, not $100 or $200. They want something in six minutes, not half an hour—“make an appointment”—or one hour. It's different. It's two different businesses, and expecting it to go indoors by taking away these laws.... It's not going to happen.

Mr. Jeff Leiper: It makes the presumption as well that the women have income that's not being used to fix to have stable housing, to advertise that this house is a bawdy house. The presumptions that go behind these sorts of registration and decriminalization and red light schemes just don't hold true, in our community at least.

Mr. Jay Baltz: We also have women whom we know of working out of their houses who cause no problems for us whatsoever—that's not who we're talking about here—in our community, and those have no impact on the street, no impact on the neighbourhood, and they can do whatever they want behind closed doors. If that were available and desirable and possible for the women on the street to do, they could do it now and not be subject to the type of harassment there is on the street.

The Chair: Thank you, Mr. Hanger.

Madame Brunelle.

[*Translation*]

Ms. Paule Brunelle: When we meet street prostitutes, we can appreciate their tremendous human suffering born of poverty and illness. Prostitution is but one of a host of problems. If I understand you correctly, you're saying that since steps have been taken to enhance law enforcement, your living conditions have improved. Are you suggesting that even stiffer laws should be enacted?

[*English*]

Ms. Cheryl Parrott: What we have been lobbying for, certainly, and I think what you've seen in a number of the provinces coming forward is more enforcement on the johns. Many of the provinces have gone that way. Saskatchewan impounds cars. I think Manitoba is looking at revoking drivers' licences. These are all against the johns. Ontario has passed legislation that has not been implemented yet, again to revoke drivers' licences of johns. So the enforcement area by the provinces in response to communities is very strong. They know that they need to do something, and it's to try to get the johns, remove the demand.

[*Translation*]

Ms. Paule Brunelle: You feel that one good solution would be to increase enforcement measures in so far as johns are concerned. Is that what you're saying?

[*English*]

Ms. Cheryl Parrott: I believe it's one of the solutions, and I believe it is a good solution. I believe we have to educate the men that this is not an appropriate thing to do, exploiting women in that vein, the women who are on the street, and taking diseases home to their families.

Mr. Jay Baltz: Also, getting back to the idea that these are two different businesses, it's very different to make an appointment and go to somebody's place of business and pay for an activity of whatever sort. That's a business. It's very different to cruise up and down the street and find vulnerable, sick women.

They're not only going after the women who are actually out there soliciting. They try to pick up all sorts of women and girls. There's a junior high school, a middle school, right in our area. They go after those girls as well.

The johns are out there not necessarily for sex—in fact, not mainly for sex, I don't think. They're out there for power, because lots of them can in fact afford to go to an out-call service or to an escort and pay the $100 or $200. There's more of a power imbalance when you get some poor woman who's stuck in this lifestyle on the street. You can make her get in your car and do whatever you want, and I think it's that they're looking for. These are not guys, I think, that we want to encourage in this activity by saying it's legal. It's a very different thing.

Mr. Jeff Leiper: The laws that we have are helping to protect communities. If the laws that we have aren't helping women, maybe Parliament needs to take a look at how it can actually use the resources to help those women and not eliminate laws that are protecting communities. We don't need more severe laws. We're happy with the laws we have. Now we're asking Parliament to do the heavy lifting.

● (1945)

The Chair: Thank you, Madame Brunelle.

Madame Davies.

Ms. Libby Davies: Thank you.

I think there is actually a relationship between what happens on the street and off the street. I'm not so familiar with your community, but I certainly know other communities that are experiencing on-the-street prostitution. I've spoken with and had discussions informally with prostitutes, and there was a change in attitude in law enforcement because of a court decision that actually put more prostitution on the street. Twenty years ago we actually didn't see as much street prostitution. There was more of a prevailing attitude that it should be off the street, and it was, as you say, more or less tolerated, but because of various legal decisions it then moved onto the street.

So I'm curious that you see it as two very, very separate things. I think there is a sex trade on the street that would probably be very difficult to get rid of, but I think there are other elements of it that if you provided some different kind of environment, and not necessarily a red light district—I don't advocate that myself, and I don't see that as a solution—but even from a safety point of view, like dealing with a bawdy house law and allowing people to go indoors and encouraging that, it seems to me that would actually be a beneficial thing. But your organization seems to see that as something so different and that street prostitution will always be street prostitution and it won't ever become anything else. I'm not so sure that I agree with that. I think if there were a different sort of mix of how we approach this, we may well be able to place greater emphasis on providing an environment that doesn't have an impact, that's off the street.

I wonder if you agree with that sort of approach. That's partly what we're trying to sort out, right? If that were possible, do you see that as a solution?

Mr. Jay Baltz: Certainly it's desirable to get this off the street. I think everyone agrees that having people on the street doing this is not good and that the more off the street you can get it, the better.

I think where we would disagree is in the approach to doing that. Really what these women need is not to be desperate, to be able to afford housing, and not to be exploited.

Ms. Libby Davies: I think we would agree with that too.

Mr. Jay Baltz: Those really are the main issues, not an issue of decriminalizing this one activity that is one component of their very complicated and rather desperate lives. We're looking at a housing problem and a health problem.

Ms. Libby Davies: Suppose you had safe houses? This is where there is a departure from what I think maybe would be a solution. I totally agree with you about getting the better housing and what we call treatment on demand. It has to be there the moment you need it, not three months down the line of waiting for a detox bed.

We have to put all of our energy into getting that stuff. Those are big battles, believe me; I've been working on housing stuff for ten years. But tomorrow night, tonight, when those women are on the street, what do we do to improve the safety, both of your community and of them? I think that has to be part of the mix here, doesn't it? I have some problem with your saying you want the status quo in law enforcement, because I really think the enforcement is creating a very unsafe situation. It's not the only thing that's creating safety concerns; certainly some customers are as well. But the threat of law enforcement is preventing these women even from ever reporting anything.

It's not really a question; it's mainly a comment.

Mr. Jeff Leiper: On the enforcement issue, we can only speak to our community, where we don't see the kind of harassment that's taking place on the part of police, where the same attitudes don't exist on the part of police that we see in other municipalities.

Ms. Libby Davies: They may have a different point of view, though. We've heard from prostitutes who talk.... We've heard a constant refrain about harassment. So you may think that, but with all due respect, they may have a different point of view.

● (1950)

Ms. Cheryl Parrott: You talk about the laws changing and say this created greater street prostitution or issues. In my mind, and I've talked to communities across Canada as well, the rising use of crack cocaine in the early nineties made street prostitution huge. It grew with the drugs and I guess with the lack of social services and downloading of social services. A lot of this is a mental health issue as well.

Really, what I would like to see is.... We need the resources here right now. We've been asking for a drug court in Ottawa for two years now. I think that's one of the ways. Prostitutes would be able to go there and go into rehab as part of it, so they would get away from.... If people are worried about the court thing, that's one issue: it's a drug issue, and we have to treat it that way.

Mr. Jay Baltz: I would also disagree that, at least in our community, violence against these women has increased in the last ten years. I think it has actually decreased. I would say seven or eight years ago on a weekend you really could not go down the street without seeing a fight, often involving one of the women. They appeared battered and beaten up. You don't see that as much, except when there are these flare-ups every once in a while with a very active drug house. We don't routinely see violence on the street involving either these women or other members of that subculture. At least in our experience the violence has decreased, both for us and for everyone living there, but also for these women.

It used to be the bars would empty out and there would be huge fights, again involving the women. They would get beaten up, and people would ignore screaming on the street because there was so much of it. That doesn't happen in our community any more. If somebody yells on the street, whoever it is, there's going to be a 911 call immediately. There will be people out there trying to stop it. That's safer for everybody.

We do a security committee every month that Cheryl chairs, and we hear all the time about the fights that have almost started on the street, or some customer who went after a woman, and that's always called in: the police are always told immediately, and they respond.

So I disagree that applying these laws and the other laws that prohibit violence against anybody has made it less safe. I think it's actually more safe in our community than it was five or seven years ago.

The Chair: Thank you, Ms. Davies.

Dr. Fry.

Hon. Hedy Fry: On the issue of safety, we have heard from many sex trade workers that because of the soliciting law, it's not so much whether they are fighting on the street or somebody is on the street creating a ruckus, it's because they don't want to be picked up that they jump into a car and don't take the time to assess the client and to make a decision on whether they really want to go. They just don't want the police seeing them doing the act.

What happens to them when they get in the cars? We know what happened in east Vancouver. We know what happened in Abbotsford with Picton. The violence may not be seen on the street. So the issue isn't whether it's violence you see. It's the violence, period, that is associated with it. It's the risk for women on the street.

You have said some interesting things, and this is the root of what we're getting at. You see two different businesses. You feel that there is advertising on the back pages of newspapers. The soliciting law, under subsection 212(1) of the Criminal Code, says “Every one who (a) procures, attempts to procure or solicits a person to have illicit sexual intercourse with another person, whether in or out of Canada”, commits a criminal act. What is an ad at the back of a paper if it's not soliciting a person to have illicit sexual intercourse with another person? What is the yellow pages thing?

I think what we have at the moment is a hypocritical model. Many of us believe that if you're making $700 an hour, it's okay if you advertise and we don't have to see you, but it's not okay if you're on the street. I think that tying the street prostitution to violence and to a highly risky place to carry on the business is a very important issue we want to address. I suppose what we're saying is that the law right now makes it worse for women on the street, not better, because they're in a hurry to get out of being seen.

There are some solutions, and I agree with you, because as a physician I see this as a public health issue and the comprehensiveness. If they're hooked on drugs, they're doing it, and they're going to be exploited. So it's about all of the things you talked about, such as the services and the housing.

What I'm hearing from you is that you see two different businesses. One of them is not such a problem if it's safe, if it's done out of sight, and if it's advertised properly and you don't have trolling going on. That's reasonable. If I lived in the neighbourhood, I would probably not want it myself. You're saying some clear things.

But what we're looking for is a comprehensive array of solutions. People have told us that by removing the piece about soliciting, you could start looking at a comprehensive package, prevention and all of that, and this would increase the ability to.... If we looked at where women could have their businesses, that might increase the safety if it is indoors in a place they choose. There are models out there that may deal with some of the things you're talking about, as long as they include good health care, housing opportunities, training, and helping women to get out of the trade when they choose to do so, all those kinds of things. I think you'd find that most of us believe those are essential.

If we're only going to talk about that small piece that says let's decriminalize, I don't think you'd get anybody here doing it.

Libby and I used to be on the committee on the non-medical use of drugs. We gave a report that said it's not about simply decriminalizing something. It's about prevention, harm reduction, treatment, rehabilitation, etc., which are needed to deal with the issue. There is a tendency, of course, to pick one thing.

● (1955)

The Chair: Dr. Fry, it's time for a question.

Hon. Hedy Fry: It's not a question, it's a statement. I am hearing these people talk about exactly what I am concerned about, the fact that there are two businesses going on here. One is risky, one is harmful. One is associated with drugs and exploitation, and the other one is done as a business.

Is doing it as a business that is regulated and licensed, with other things as well, the answer?

Ms. Cheryl Parrott: We don't have a lot of expertise in the other areas. Obviously, it exists, but we don't have the expertise to know the ins and outs of it. Street prostitution we do know about. We've seen it for 15 years, and we've tried to analyze it. It's hard to answer that question because we don't know the ins and outs of the other part, but certainly the street prostitution we do.

I'd just like to make one comment about jumping into cars because they're afraid of the police. Maybe that happens in other places, but I have never seen that happen in our community. In fact, they jump into cars that are stopped at stoplights because people haven't locked their doors. So a lot of negotiation doesn't go on a great deal of the time, and certainly there have been no police around when I've witnessed that. People have told me that a number of men have had women jump into their cars.

Mr. Jeff Leiper: When you watch a transaction on our street, it seems to be a process of evaluation to some degree by the prostitute as well. These aren't hurried; women don't just jump immediately into cars on some of the negotiations I've seen.

I don't believe it's the law that's causing them to go into cars. It's not the law that is creating that business model. What it is....

I'm sorry?

Hon. Hedy Fry: Many women told us that.

Mr. Jeff Leiper: Yes. I would ask you as well to be aware that if you're engaged in that activity you're going to tell a parliamentary committee what it wants to hear in order to keep the activity legal.

Mr. Jay Baltz: At least in our area, the women prostitutes are only arrested when there's a sting. Because the law's against solicitation, there is no way of knowing what some woman leaning into a car is saying to the guy inside, if one of them isn't a police officer. So there isn't, at least here, any law enforcement happening when real johns are picking up women.

When there are sweeps, it's a police officer inside the car. More usually, it's a policewoman on the street picking up the johns—that's who usually gets picked up. There really isn't law enforcement targeted at johns picking up women on the street.

The Chair: Ms. Fry, thank you very much.

I have two little questions. You feel that we need the communications laws because they allow for the sweeps, which are the only things that give you any relief. If we were to withdraw the communications law against the sex worker and retain it against the johns, would that still give you the protection you needed? That's question number one.

Number two is this. Yours is a drug problem first and a prostitution problem second. Do you work with the police to report and harass the drug houses to try to get rid of your drug problem as well?

● (2000)

Mr. Jay Baltz: Full-time, I think, pretty much.

Do you want to talk about the...?

Ms. Cheryl Parrott: The communication law? We haven't discussed all of this, of course, but personally I would not like to see the communication law taken away for the prostitutes either, because I think there's one main advantage of it. In Ottawa, every time there's a sweep they're always offered the STEP program, which is a program similar to the john school, but for the women. It's a two- or three-day retreat. They can go as many times as they choose; it's not limited to one time. They're given skills, they're given help, and they're given offers to get out of the sex trade. I'm told there is success from that.

In that vein, I think there is very much a positive part to the communication law for the women, because it offers them those options, which they may not take even the fourth time, but maybe the fifth time they will.

The Chair: Thank you.

Thank you for your presentation. We very much appreciate it.

You have extended an offer to show us your area, so to speak. I for one would certainly like to come down. I will speak with our other panelists as to whether they would like to appear some evening as well, very discreetly and very informally. Perhaps we could break our committee up if more than one wanted to go. We will contact you in that respect.

Again, thank you for your attendance today, and to the individual ladies sitting behind you as well. We appreciate their assisting you with your presentation. Thank you.

I would ask Mr. Gilligan to come forward. We'll just suspend one minute.

● (2002)

(Pause)

● (2004)

The Chair: I guess we're ready to proceed, Mr. Gilligan, so I'll call the meeting to order again.

Mr. Brian Gilligan (Consultant, As an Individual): I'd like to start by thanking you for giving me the opportunity to appear before you. I'd also like to congratulate you for taking the effort to do this. It's a difficult subject and an important subject.

I understand from a conversation I had with Libby Davies that the committee has heard from a range of people offering a wealth of perspectives. This is good, as I hope it will lead you to conclusions that will reaffirm that there is no one factor that leads women and men to sex work, no one type of sex worker, and certainly not one solution.

As a brief description about myself, I have worked in Canada as a street outreach worker, and I have also been a community activist in a community actually right next door to Hintonburg, Somerset West, which had a sex work problem for the whole period of the 1990s, so I'm well familiar with some of the problems in Canada.

Since 2001 I've lived in Kathmandu, Nepal, working with a number of organizations, including UNICEF, UNAIDS, and Save the Children, on the health and protection of vulnerable populations—in particular, sex workers. It is from my recent experiences in Asia that I'd like to draw out a couple of important lessons that I have learned over the past few years.

There are several current debates going on in the literature about sex work in South Asia and Southeast Asia, and they revolve around three what I believe to be false dichotomies: trafficking versus migration; coerced prostitution versus voluntary sex work; and the issue of prevention, removal, or rehabilitation from sex work versus safe sex work.

I say false dichotomies because all these perspectives are important to understand that each offers a partial picture of the whole. Women and girls are forced into sex work, but they also choose sex work, as in some cases it is their only option—and I mean sell your body or starve; sell your body or your children don't go to school.

In my work with women in South Asia and Southeast Asia who have chosen sex work, the stories of their lives are poignant. They are widows or abandoned. They are fleeing conflict. They have lost their jobs, or the jobs they have they cannot survive on. They've been raped and are unable to be married.

The reality, at least in my part of the world, in extremely patriarchal culture, is that there are few safe places for a woman outside of marriage. Her body is the only possession she can sell.

In looking at the programs and organizations I've worked with, their effectiveness in protecting the health and safety of sex workers is hampered, in my opinion, by a number of factors. The first is morality. In my opinion, it's a rather pointless, circular debate with no productive outcome made by those with full stomachs and roofs over their heads: sex is a crime, therefore sex workers are criminals; criminals are bad, therefore we need to punish them.

A second factor is paternalism or patriarchy: we know what is best for these women; they need our protection; they are incapable of making decisions for themselves; they are victims.

A third point, which is probably less relevant to Canada, is one of nationalism: our national pride is compromised; anything is better, including starvation, for our women rather than them selling their bodies for sex to men in a neighbouring country.

As one of the concrete examples of problems that I've seen caused by people adopting these feelings of morality, patriarchy, or nationalism, in 2001, in response to concerns about a number of Nepali women working Indian brothels, the government created an anti-trafficking law that made it impossible for unaccompanied women to cross borders. Suddenly women could not move across an international border unless they were accompanied by their husband or a male relative. This is an example of a bad response to a problem.

● (2005)

Throughout South Asia governments treat all women crossing borders as potential trafficking victims: incarcerating many of them for their own good; forcing them through locked residential rehabilitation programs—in many of these programs, the idea of a successful rehabilitation is imparting a completely unmarketable skill like knitting and then tossing the women back out onto the street—the forced rescuing and removal of women from brothels, giving them a nice label as ex-prostitute, giving them no skills, and once again dumping them back out onto the streets. The success rate of these types of programs is abysmally low, and any study that's done a follow-up on them shows that most of these women will end up back in the brothels.

Then there's the prostitution of sex workers by organizations that seek to work on their behalf. What I mean by that is you can go to many places in South Asia and Southeast Asia and find organizations that will capture women—called "rescuing"—put them on TV, and say to the world they've saved them. Now everyone knows who they are. This is done in an attempt to raise money for these organizations. Then there are donor-funded anti-trafficking activities, which have by every measure been extremely ineffective, except in firmly linking in the public mind that women plus migration equals prostitution plus HIV-positive.

Finally, there's the refusal of some donors and agencies to work with sex workers to make their environment safer and healthier, or even to use the term "sex work", preferring instead to use the more morally loaded word "prostitution". I believe this comes from a wish to not dignify the sale of sex. It also comes, I believe, from a very misguided belief that sex work is a problem that can be solved.

The result of this, from my work, is that vulnerable women are made more vulnerable to exploitation, to rape and sexual violence, and to disease. On the contrary, from what I've seen in South and Southeast Asia, to acknowledge or accept reality is not necessarily to condone it, but it does make protecting the lives and well-being of sex workers a lot easier.

What does work? I don't have many points here, and they'll seem rather ludicrously simple and a bit banal to repeat, but I'm always surprised at how often programming and organizations miss them.

Programming accepts that women and men enter sex work for a variety of reasons that require a variety of responses. Simply said, there is no one response that will work in all cases.

A second need is programming that addresses prevention, removal, and rehabilitation as well as the needs of those who are currently involved in sex work. This means we need to reduce the potential harm of sex work through safer sex programming for both the sex worker and the client. One of the things we've really learned in Asia is that it's not just enough to give condoms to prostitutes; you have to work with the population that purchases services from them. Asking the weaker link in this equation to enforce condom use is simply ineffective.

We need to ensure better protection of the lives and well-being of women who are engaged in sex work. We need programming that does not infantilize women, that does not treat them only as victims.

Finally, we need programming that asks sex workers what they need and involves them in defining their needs, designing and implementing measures, and evaluating whether they successfully work. Throughout Africa and Asia the use of sex workers, current and former, as peer counsellors and peer educators is not only cost-effective; it works. Asking sex workers what they need is always a learning experience, and what they have to say, if we're willing to listen, is usually pretty informative.

Without protection, without our willingness to meet these women and men where they are in their lives, we'll lead them to become more vulnerable to exploitation, violence, and disease. Unless we ask them what they need and involving them in meeting those needs, our interventions will always be ineffective and sometimes dangerous.

Thanks.

● (2010)

The Chair: Thank you, Mr. Gilligan.

Mr. Hanger, you have seven minutes.

Mr. Art Hanger: You heard the testimony presented by the community members of Hintonburg. What category do they fall into in this debate: the morality issue, the patriarchal issue, or nationalism? What were they expressing?

● (2015)

Mr. Brian Gilligan: They don't necessarily fall into those three categories, because I also understand the disruption that street prostitution can bring. Most of the prostitution I deal with is brothel-based. It's a very different type of activity. That's the answer.

Mr. Art Hanger: I detected from the community members that they were very concerned about the girls too; that use of drugs among street prostitutes is very high—in fact, it drives them; that drug pushers, who generally reflect the organized criminal activity in prostitution, are there to make sure their habit is fed and that the money keeps flowing.

Solicitation laws really are what the committee is looking at. It appears from the testimony we've heard from numerous people that they're a way to curb that level of activity on the street, or it would be totally out of control. It's also a way of getting at the girls who are involved in this activity as well and offering treatment, because sometimes no treatment is handed out to them as a means to counter their pimps' not offering any level of support apart from giving them drugs.

Are you suggesting that the solicitation laws be removed?

Mr. Brian Gilligan: You've asked several questions. I'll go back to one point. You used the word "offered". The one thing we know from drug and alcohol treatment is that enforced treatment does not work. Telling someone, "You do the program or you go to jail", whether it's in Europe or North America, doesn't work. People have to be ready to accept the treatment on their own terms. I'm sure you've had psychologists in front of you, maybe drug and alcohol people. They'll confirm that.

I guess you have a balancing act to do. You're not going to protect women by making them more vulnerable. You're not going to protect women by driving them further underground, because that's what you'll do.

Mr. Art Hanger: Let's not—

Mr. Brian Gilligan: No, let me answer the question.

If you enforce strongly enough, they'll move somewhere else. They'll find another venue. They'll use vacant lots; they'll go to industrial sites. They'll become more vulnerable. That's not going to work. At the same time, communities have a right to live peacefully, to not have the disruptions and the violence they see around them. It's really an issue for you to decide: how best to balance those two interests.

But strongly enforcing on the sex workers' side is not necessarily going to get you anywhere. Forcing people into programs they're not ready for certainly won't help you.

Mr. Art Hanger: We've heard lots about the involvement of drugs in this issue of street prostitution—and I agree; I'm personally familiar with it as well. What do you suggest we do with the drug issue? Crack houses? The witnesses just before you, and you were here to listen to their testimony, clearly reflected that the girls work close to the house, within a certain range. When the crack house moves, so do the girls. That's historically the way it's always been when it comes to drug pushers, drug users, and whatever activity they choose to get involved in. What do we do with the drugs?

The Chair: Before you start, could I ask you to lower the other mike? With the spilling of the water, apparently we can't shut it off now. We don't want you to get juiced.

Go ahead, Mr. Gilligan, and respond please.

Mr. Brian Gilligan: The majority of sex workers in South Asia do not use injection drugs; many sex workers in Southeast Asia do. It's a difficult thing to unpackage those two things, but I believe they are to a degree quite separate issues.

As I just mentioned earlier, you're not going to solve an addiction problem by chasing street prostitutes around. I also know from my friends on the Ottawa police force of the difficulties they have in closing down a crack house, of the number of steps they need to take, and that by the time they actually close one, it's quite easy to open one up somewhere else. I'm not sure I have an answer for you on the drug side.

When I lived on Somerset West, I did work with Hintonburg and with other communities about trying to get the province to open up more detox beds—and they are abysmally few. As for programs for drug users, whether short-term, long-term, medical, non-medical, or detox, we just don't have enough.

We don't have enough support for people once they leave these programs. What we often see is that people finish a program, end up back in the same housing situation, the same shelters, the same communities, and fall right back into the problems again. I don't think these are social problems that are going to go away; they need to be managed.

They're going to be replaced by a new generation of johns, a new generation of sex workers, a new generation of addicts. But are we dealing with them? Are we investing enough to try to minimize the harm to themselves and their communities? No, I don't believe so.

● (2020)

Mr. Art Hanger: Testimony has often been forwarded here where it is felt that because of the criminal law that exists—and really the act of prostitution itself is not illegal, but the communication aspect around it is—the girls are stigmatized in the community, because of the criminal aspect of it and not the act itself. Do you think that's correct?

Mr. Brian Gilligan: Oh, like many cultures, we have a lot of bizarre and weird feelings about sex, so whether people are stigmatized because it's a criminal activity or just because we have a hard time talking about this subject, I'm not sure.

Mr. Art Hanger: Getting back to the drug situation, the girls who are involved.... You're a street activist; you've indicated that in your —

Mr. Brian Gilligan: A community activist.

Mr. Art Hanger: Yes, community. You've done a lot of work with prostitutes and—

Mr. Brian Gilligan: I've done a lot of work with communities.

Mr. Art Hanger: You've done a lot of work with communities, but you've had a lot of communication with them.

Mr. Brian Gilligan: Yes, and I've been an outreach worker with sex workers in Ottawa.

Mr. Art Hanger: Okay.

Do the girls who are involved in drugs want to do what they're doing, the majority of them, or do you think they're doing it only because of the drug?

Mr. Brian Gilligan: I don't think anyone wants to do it. Even those who are not, I would say.... Well, there may be some, but it's.... I look at it as a series of options that people have, if they're not addicted. I've met many single mothers who just say, I cannot afford to give my children, by working for a minimum-wage job, the childhood I think I could; or, I can't feed three children; or, I can't clothe three children. And I certainly see that where I'm coming from in South Asia.

Want? Want is kind of a loaded word. I'm not sure.... They're not going, “Yahoo! Yippee! I'm selling my body to a stranger!” That's....

Mr. Art Hanger: I would assume it's not something they would necessarily choose to do, apart from the fact that the drug is driving them to do it.

Mr. Brian Gilligan: Or poverty.

Not to be flippant, it's not a choice between doing this and going out for dinner; it's the choice between this and not eating, the choice being this and not getting your drug fix, the choice between this and your children's school fees. So is it a choice? Survival is a choice, I guess.

Mr. Art Hanger: The next fix is a choice.

Mr. Brian Gilligan: In a very loose definition of the word “choice”, yes.

The Chair: Thank you.

Madame Brunelle.

● (2025)

[*Translation*]

Ms. Paule Brunelle: Good evening, sir. Thank you for meeting with the committee.

I find it interesting to hear you speak of morality and paternalistic attitudes. Clearly, one of the biggest challenges facing this committee will be to amend legislation while ensuring that people are ready to accept any recommendations we have to make. It's important to remember that we must keep an open mind during this process.

You appear to have some international expertise on the subject. We've heard a lot said about the globalization of the sex industry. What do you know about the situation in Canada? Are some of the prostitutes immigrants living in difficult conditions? Have you heard anything about that? Are you aware of any such cases? Is prostitution really overseen by a vast organized crime network?

[*English*]

Mr. Brian Gilligan: My experience working with sex workers in Canada is about seven years old. At that point, the majority of sex workers were Canadian-born, although a disproportionate number of them were from first nations communities. The ones I met who were not Canadian-born were refugees and were having a hard time supporting themselves.

In terms of the trafficking of women to Canada for sex work, I have not heard anything specifically about that, although the recent discussion of the movement of women from eastern Europe to exotic dancing in Canada might require a bit more investigation. Certainly in western Europe, the trafficking of women from the former Soviet Union and Central Asia into Europe for sex work is fairly well established.

[*Translation*]

Ms. Paule Brunelle: We certainly have no desire for Canada to become a destination for sex tourism like some Asian countries. Do you have some idea of how sex tourism developed in Asia? Do women just accept the situation, or is it simply that they need to escape a life of poverty?

[*English*]

Mr. Brian Gilligan: As far as I know, countries that have been the target of sex tourists have had fairly vibrant domestic sex industries prior. So inasmuch as we hear about sex tourists from Europe flying to Thailand, many more Thai men use Thai sex workers.

I doubt that Canada will ever fall into that category, because how those industries tend to operate is in the absence of law and in fairly corrupt national government systems where police can be bought. I don't think in Canada we really face that issue.

Trafficking can also go beyond sex work. From what I understand, there's a fair amount of trafficking of children into domestic servitude in England from either the Middle East or Africa.

So there are a number of reasons to move people across borders.

The recent trafficking we've seen of Chinese into Canada by organized crime to work in very poor labour conditions is another form of trafficking. It's all about the movement of people from one place to another illegally for profit. But I don't think Canada has to worry about becoming a sex tourism destination.

The Chair: Thank you.

Madam Davies, please.

Ms. Libby Davies: Thank you very much for coming. I know you have a perspective and the experience locally here in Ottawa. That's very helpful, but actually I think what's really interesting is the experience and the knowledge you have about what's happening in other places. We focus mostly on what's happening within Canada, but the question of trafficking internationally has come up, both among ourselves as committee members and from some witnesses. To try to get a handle on what's going on there and whether it's part of the recommendations we pick up in terms of how it may impact Canada is one of the questions we're dealing with. It's very helpful to have your testimony.

The question I have is.... You just talked about trafficking, and I suppose you were giving a definition, really, by saying it's the illegal movement of people for profit. Presumably that implies it's something that's organized. I find that some of these words are used loosely and that we don't have very good definitions. Maybe you could clarify what you believe the defintion of trafficking is, and having done that.... Are we looking at a situation where most of that movement is organized, or is it happening—maybe primarily, or in a minority of cases, I don't know—on an individual basis?

The reason I ask that is that when we're looking at the situation here in Canada, there are so many myths. I think there's a very common perception here that everything is controlled by pimps and organized crime, but we've had a lot of sex trade workers tell us that's not the case.

I'm very curious to know, if we're looking at the trafficking end, first how you define it, and second what the spectrum is there. Are we talking about mostly organized situations that are terribly coercive and very violent and exploitative, or are we also talking about...? You used the word “migration”. Does that imply it's also more on an individual level, in terms of women deciding that they have to go from country A to country B, and sex work, whether we use the word “choice” or not, is what they're going to do?

I don't know if you get the hang of my question, but it's aimed at defining this in some way.

● (2030)

Mr. Brian Gilligan: In terms of technical definitions of trafficking, there are a number of them. I would suggest that if people want to learn more, they can go to a site called www.childtrafficking.com, which is set up by Terre des hommes, a Swiss NGO that works primarily with children. The website is basically a clearing house for trafficking, prostitution, sex work, and migration issues. It's far more than child-trafficking.

You can think of it as a spectrum: hard trafficking, soft trafficking, migration. Hard trafficking is organized. It usually involves government officials at one end or both ends. It involves very organized systems, set rates of payment, and very clear contracts between the people, who find the women in a village, transport them to an intermediary site, maybe train them to get across the border, move them, and then distribute them to brothels or to factories or whatever.

Soft trafficking is far less organized. At least in South Asia most women are trafficked through soft trafficking. What that means is a sex worker comes back from her brothel in Mumbai and says, “Come back, you can make a bit of money”; or a relative encourages a woman to cross a border and then sells her on the other side. The result may be the same, but it's not as organized, there are fewer players, and it's much less structured.

Then you have migration: a woman deciding, for whatever reason, that she needs to enter sex work and has to cross a border to do it. One of the challenges I've seen with all of the anti-trafficking work is that it has actually driven women who would be crossing borders legally into the trafficking end of it to get across that border, because now she can no longer do it safely without being detained. It's a bit ironic that you can spend two years in an Indian remand centre to save you from becoming a prostitute. Well, two years in an Indian remand centre is a lifetime, and that's supposed to be done for your benefit. So yes, there's that spectrum there.

You brought up a point earlier about pimps. In my time as a street worker I met very few pimps. Most women worked for themselves. At most they may have worked for a boyfriend: one guy running one woman. But I did not see the guys in the flash suits and the white Cadillacs driving around with a harem of twenty women. That may happen. I never saw it in Ottawa.

● (2035)

Ms. Libby Davies: Do I have more time?

The Chair: Yes, you do.

Ms. Libby Davies: On the international situation, I guess Canada is a signatory to various agreements. It's the element I know the least about, so I don't know if it's true that there are various covenants. Maybe Dr. Fry knows. But in terms of individual migration, is that a growing movement? Which part of it is escalating or decreasing? Are you able to give any estimation around that?

Mr. Brian Gilligan: I don't know whether one of the three areas of hard trafficking, soft trafficking, or migration is changing. I think a lot of literature is saying, hang on. We were labeling everyone as a victim of organized crime. In fact, a lot of it is just poor women doing what they have to do to survive and feed their children.

Ms. Libby Davies: At that point I suppose the responsibility becomes...partly it's the country they've come from, in terms of whatever their rules are for crossing a border, but also the host country or the place they're going to, in terms of what kind of environment they're moving into.

Are you aware of what the connection is back to Canada? Do we have a lively sex trade in terms of what's coming into Canada, maybe through Asia to the west coast? Do you have any knowledge about that?

Mr. Brian Gilligan: No. I haven't been in Canada for four years.

The Chair: Dr. Fry.

Hon. Hedy Fry: I want to comment on what Libby said, actually. There has been some work done by Status of Women on this. What has happened is it's linked with migration and “women trying to live a better quality of life”.

In some eastern European countries when the wall came down, a lot of women just didn't have any jobs. There was nothing for them. They were living in absolutely terrible circumstances. Others saw this need and said, “Hey, we can get you to Canada, and you can work there as an exotic dancer or whatever”. A lot of these women came, only to find out that part of what they had to do was some prostitution on the side.

Many of those women were interviewed by York University and some academic people doing the survey. The women said that when they came here and found out what they had to do, for them, the quality of their lives here, even doing that, was preferable to going back home. I think you're saying the same thing, that choice is a difficult word when choices are relative. When you're well housed and you have a degree and you can go do something, you can make a lot more choices than when you have absolutely nothing and the only thing you have to sell is your body and that's a commodity for you.

I get a little concerned about the moralizing because I think we then judge people, when we've not walked in their shoes at all and we don't know what it's like. That's just a piece of information about the people coming from certain parts of the world.

I was very interested in what you have to say because you have echoed what we heard from many of the women we've talked to—that in fact very few of them work for pimps; they work for themselves. I suppose if you say working for your boyfriend or your husband.... We could think a lot of things about guys who sit around and put their feet up and drink beer and have their wives go out to waitress for them. Working to keep somebody is not necessarily always something that only women in the sex trade do.

What was very interesting for me was that you talked about the whole broad spectrum of solutions. You asked, what do we do? You said there was no one answer. I think that is what I would like to elaborate on. I don't see any one answer. I see prevention. I see harm reduction in the broadest sense, making it safe if this is what the woman is doing. I see offering opportunities for rehabilitation.

Then there is a small percentage of women who will say to us—and we heard that in Montreal—look, I have a degree and I think I could live a more exciting life and make far more money per hour doing this than going out there and being a social worker. That person made a relative choice as well.

I think you've asked a very important question because you've said there were so many answers. If we wanted to look at it from an enforcement point of view, this is what one group would say—that residents who want to have a safe community have a particular problem.

I see that as MPs we have a challenge, because our problem is to deal with the plight of a resident of a community. It's to deal with the safety of communities. It's to deal with the safety of the workers. It is to deal with allowing women to have better choices. It's not to make one very narrow decision, but to look at how society would be better served by allocating resources for housing and for prevention and for training and for all of those other things—harm reduction—as well as assisting women who are doing this work to be able to do this in dignity. I suppose that is really what we're looking at.

Anything you can tell us that will help us to look at what our broad perspective must be of all the players—the residents, the women.... Making this something that is a liveable situation for everybody and trying to improve peoples' lives is basically what we need to do. I don't think it is helped by our being pejorative and suggesting that sex workers are less than others, or you wouldn't want to compare them with normal people or honest people or real people out there. That's terribly pejorative.

I would hasten to say, if I can just wax religious for a moment, that Christ consorted with a prostitute for a long enough time and told people that they shouldn't judge her.

I really think we should get out of this judgment thing and start talking about what we as parliamentarians need to do to deal with the problems surrounding this whole issue and to find solutions for them that are going to be broad-based and cannot be narrow.

If you have anything to add to what you've already said to us, I would be glad to hear it, in terms of red light districts and businesses and decriminalization, regulation, etc.

● (2040)

Mr. Brian Gilligan: Different things have worked in different countries, and I don't know politically whether they're acceptable in Canada.

A lot of my work around sex workers is from a public health perspective. It's about controlling the spread of diseases, whether through unprotected sex or through injection drug use if the sex worker client population is involved in that.

Thailand did an amazing job at knocking down their HIV rates from sex work through working on the brothels. Through their Minister of Health Mechai, in the early 1990s and working with the police, they basically enforced a 100% condom-use policy in all brothels. If you wanted your brothel to exist—and they were in kind of a grey legal area to begin with—if you didn't want to be raided on a weekly basis and have everyone carted off to jail, you were going to enforce condom use. That worked incredibly well. But all solutions don't last for a long time.

One of the problems Thailand is now facing is an influx of Burmese refugees, women who are now sex workers outside of brothels, making less money, and who can be much more easily coerced into having sex without a condom. The logical thing is for Thailand to now come up with a solution that deals with these women.

Also, Thailand dropped the ball on injection drug use. While injection drug use continued to grow through the 1990s, they took a very hard line, abstinence or nothing—or actually in fact over the last couple of years, abstinence or death—given the number of drug users who have been killed by the police. All the gains they made through enforcing 100% condom use in brothels are being lost through the influx of cheaper Burmese prostitutes, sex workers, and also their inability to deal with the number of injection-based addicts that they have.

In Tamil Nadu state in India, there has been very successful work around enforcing 100% condom use. The police play a major role in that.

It's all these things we know about. It's about multi-disciplinary teams. It's about different departments talking to each other. It's about leadership. These are the things that work. It is nothing new and nothing that you haven't heard of. It's just really hard to do.

The Chair: You're out of time, Dr. Fry. That's it.

Hon. Hedy Fry: I'm out of time, did you say? I thought you said I had time. I'm sorry about that.

The Chair: Mr. Hanger.

Mr. Art Hanger: Thank you, Mr. Chairman.

Mr. Gilligan, you indicated right at the offset that the morality debate is a pointless one. That is an interesting statement to make, given the fact that it's generally a community standard, so to speak, that sets much of our law, even the regulation. Why would you say it's a pointless debate?

Ms. Fry refers to Christ consorting with a prostitute. I don't know what Bible she read, but it obviously wasn't the right one. Apart from that, we're talking about a morality issue here.

This is obviously something that you feel the community overall really hasn't much of a role in setting whatever standard our laws may reflect. How do you get by that? I'm very curious about your statement, because this is something we certainly will be weighing.

● (2045)

Mr. Brian Gilligan: I've been working with vulnerable populations for a good 15 years. I think I learned pretty early on that I had to put my own feelings aside. I might have my own morals and I may have my own beliefs, but if I'm to work successfully with a vulnerable person—a person who you may wish to call a bad person—I'm not going to get anywhere. I'm not going to be of help, and if I can't be of help, they are going to continue to live this life.

The best that I can do is to meet them where they're at in their lives, to give them more positive options for how to live their lives, and to support them to try to make good decisions, but I'm certainly not there to judge them. At my advanced age of 43, I have learned that judging is just not going to get me anywhere.

Mr. Art Hanger: And I appreciate that. I think that's key for anyone who seeks to help someone else, that this whole issue of judgment be set aside, and if you're intent on doing the right thing, of course, that's commendable to get by all that.

But we're talking about community standard here. We're talking about involving the community, in other words. You're talking about operating in isolation from the community, and you can't do that. We can't do that, nor can we even legislate that way, because the community, as has happened in the past, even brought about the soliciting law, was upset with the way the legislators had directed it, and demanded something take place, which they had every right to do, because they're part of the process.

Mr. Brian Gilligan: I would say, and I've said this in the past, that you've made an error in logic. I'm a member of a community. I'm one person, as is each other person who disagreed with me when I was a community activist in Somerset West. To say that there is a community, a community standard, one community, one set of morals, I don't see that. I don't buy that. Community standards change. They change because the people in communities change. They change because of pressure from outside. They change with time. We accept many things today that we might not have accepted 10, 20 years ago.

The idea that there is community and then there's me and I'm not in step with the community, well, I could dig up lots of community folks who would agree with me. I could dig up lots who disagree with me. So community standards, what does that mean? Is it legally enforceable, and would we want it to be legally enforceable? Communities are often not nice, welcoming, affirmative, progressive places. They can often be nasty and vindictive. You've heard the expression NIMBY; that's not an expression of a progressive, encompassing, warm community.

I haven't answered your question, but I don't think I really agree with it.

The Chair: Mr. Hanger, we're finished.

Madame Brunelle.

[*Translation*]

Ms. Paule Brunelle: The mandate of this committee is to ensure the safety of prostitutes and of communities, among other things. We know that prostitutes are greatly victimized. Some have even been murdered or suffered other fates. You've pointed to the lack of agencies and rehabilitation and safe sex programs. Do you see other ways of making prostitutes and communities safe?

● (2050)

[*English*]

Mr. Brian Gilligan: I guess it depends on what type of sex worker you're talking about. I think Hintonburg talked an awful lot about street-based prostitutes. Certainly if you're a drug addict, if you're on the streets, you're difficult to protect because you're at the very margins of society. There is no place for you.

Having worked with sex workers, particularly that type of sex worker, they're not a very easy population to help. That is made more difficult by the lack of programs, by the fact that in the current system the only response seems to be the police.

It's a quick thought. When I was in Vancouver last summer, I witnessed something that was quite unusual. I've never seen it in any other city in Canada. Someone had passed out on a street in Vancouver East. Most other cities would call the police, the police would come, the person would be cuffed, thrown in a police car, driven to the station, they'd dry out there. In Vancouver they seemed to have an intermediary response. It wasn't an ambulance but it was paramedics who, working with the detox, would actually go out to the person, find them, and bring them in.

I'm not exactly sure what you would send out to a street-based sex worker. But what are our choices right now? Our choices are call the police or let it exist. All you bright folks upstairs, I'm sure you can come up with a range of options somewhere between ignoring them and prosecuting them.

[*Translation*]

Ms. Paule Brunelle: Thank you.

[*English*]

The Chair: Thank you, Madame Brunelle.

Ms. Davies.

Ms. Libby Davies: I could tell you were struggling with it. I don't know about all the bright folks upstairs, but I think you actually placed that very well in terms of street prostitution. Maybe there is a middle ground. I don't know, maybe there isn't.

I actually want to pick up on what Mr. Hangar was saying and your response to it in terms of community standards. I would tend to agree it can mean different things to different people. But when we're dealing with this question of the sex trade, it seems to me that one question we could focus on to differentiate about what we're doing or where we're focusing is whether there's harm being created or not.

It all gets lumped in together. There are some people who take the view that the whole thing is harmful and exploitive and therefore you have to clamp down. But I think there is also a more sophisticated response in terms of trying to sort out what harms there are and how do you minimize those harms. That would certainly be one way to approach it that I think is actually part of a community standard, because then you're talking about people's well-being and safety and not doing it for one group at the expense of another. You don't want to have safety and well-being for sex trade workers but have a community at risk and at harm. And you don't want to have it vice versa. You are looking at how do you minimize those harms that produce a community standard. Even the people from Hintonburg said that they didn't really mind if it was off-street and not creating a nuisance and a problem. Their problem is when the impact is visible in their community.

So the question I really have, and maybe it deals internationally as well, but certainly locally, is this. How much do you see as the role of law enforcement in that? It has been the primary tool up until now, well including now. Law enforcement has the been the primary tool we've seen as a society to deal with this problem.

If we're now trying to design something that's different, is there a place for law enforcement, or how should that be changed? I think that's very much one of the questions we have before us in terms of repealing the law, and even then, as to what replaces it. I think that's the question as well as to whether you have any thoughts on that in terms of law enforcement.

● (2055)

Mr. Brian Gilligan: At the street end there has to be a way, I would think, of dealing with the social disruption—the noise, the violence—without making these women more vulnerable, without forcing them to go to an even more remote place. In your riding, the fact that those women work on the CP or the CN tracks off Adanac Street, miles from anyone, is good, I guess, in that they're not in someone's backyard, but it's also bad that they are so remote and so unprotected, and I think some of the murders that we've seen have been as a result of that shoving them off in a corner.

I guess that's really all I can say. You're right, the policing can be the main response. One of the answers is just more resources. We need more workers. We need more shelter beds. We need more counsellors. We need more drug and alcohol programs. We need more detox beds.

Ms. Libby Davies: What about things like safe houses? Actually it hasn't really come up, but I know locally it has—the need for women to actually get off the street and to have houses that are actually safe, as being partly a response.

The Chair: That's the last question, Ms. Davies.

Go ahead, please respond. I'm just interjecting.

Mr. Brian Gilligan: Housing is part of it. As I've said, it cannot be housing alone. My experience with a lot of these sex workers is that they need a lot of other support as well. It would be housing plus —housing with supervision, housing with counselling.

The Chair: Thank you.

Dr. Fry.

Hon. Hedy Fry: Thank you very much, Mr. Chair.

I wanted to respond to something Mr. Hanger said.

Actually, I have read the Old and the New Testaments, both the King James and the Douay versions. I studied very well and got an A in all of it when I was at convent school. I was referring to Mary Magdalene being a known prostitute at the time, and when Christ's disciples asked him why he was consorting with her, letting her wash his feet and put ointment on them, he said, “Judge not, that ye be not judged, because the manner in which you judge will be meted out to you.”

I just thought you should know I am actually not a heathen and that I did actually study the Bible, probably more than you did.

● (2100)

The Chair: I think we all personally enjoyed that explanation, Dr. Fry.

Hon. Hedy Fry: Throwaway remarks always get a rise out of me, to try to correct the misinformation.

I think you made a comment, Mr. Gilligan, about there being somewhere a middle ground between ignoring prostitutes and prosecuting them. You talked earlier on about looking at it from a public health point of view. Again, this is the way I look at it, as a physician, and always that public health point of view is an integrated, comprehensive way in which to look at complex problems with multiple ideology. There's multiple ideology to this—there's just no one reason why a person goes into prostitution or goes into the sex trade. You've said that; everyone has told us that. So how do we find all those complicated and integrated answers? By marginalizing and ostracizing people, you give them very little room to be able to help them out of situations. You have created a bottomless pit from which it's harder and harder for them to crawl out and be accepted by society.

For me the question, then, is.... You and a lot of people, even the community group that spoke, talked about some broad-based solutions. But even when you create those broad-based solutions... you pointed to Thailand and said when they got these great results, suddenly Burmese prostitutes came in. We heard yesterday, from the two researchers presenting to us, that in Holland everything seemed to work well, until all of a sudden they got eastern European refugees coming, who became the street prostitutes of that era. They suggested—and you talked about nationalism—that communities, states, etc., need to make sure they don't allow for a differential between their citizens—the solutions and resources they have for their citizens—versus what they allow for people who are just migrants, to sort of live on a different level and, therefore, not give them resources.

I wanted to know whether you thought this is happening in Canada. I don't think it is, but would you see something like that happening? If we dealt with the problem here, would we suddenly get people who would be treated differently?

Mr. Brian Gilligan: In Thailand, I don't think dealing effectively with brothel-based prostitution from a public health perspective caused the Burmese problem. All I was suggesting was life overtakes you. No one would suggest the Highway Act of 1950 is workable in 2005. This is a complex social problem, and you're always going to have to be tinkering with it. New issues are going to come up—new waves of refugees, new economic problems. Parts of this country are going to get wealthier and poorer over time, and people are going to move around. You're not going to make the problem go away; I think the thing is to manage it better, to be prepared for changes in the problem, and to be able to respond to those changes.

You mentioned about not judging. With all respect to this group, when I was a street worker in the early 1990s, working predominantly with male sex workers, many of whom used to work in Majors Hill Park, the workers always used to laugh about two things: the number of vehicles with baby seats in the back, and the number of vehicles with House of Commons parking stickers.

In Mr. Hanger's favour, this was pre-Reform.

Hon. Hedy Fry: Famous last words.

Mr. Art Hanger: I could comment on that, but I won't.

The Chair: Perhaps we'll conclude on that final comment.

Thank you, Mr. Gilligan. I think certainly with your 15 years of experience in both Canada and the Orient, you brought a different perspective to our study, one for which we're most appreciative as well.

Thank you very much for being with us.

I'd like to suspend for one minute, and then we'll get into some housekeeping work we have to do prior to our travel out to the west coast.

[*Proceedings continue in camera*]

Published under the authority of the Speaker of the House of Commons

Publié en conformité de l'autorité du Président de la Chambre des communes

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