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Standing Committee on Justice, Human Rights,  
Public Safety and Emergency Preparedness**

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**Chair**

**Mr. John Maloney**

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•(1745)

[English]

**The Chair (Mr. John Maloney (Welland, Lib.)):** I would like to bring this meeting of the Subcommittee on Solicitation Laws of the Standing Committee on Justice, Human Rights, Public Safety and Emergency Preparedness to order.

Our guest this evening is Chief Superintendent Kevin Vickers. Welcome.

The routine is that we ask you to give us a presentation of up to 10 minutes, which will be followed by questions and answers, in roughly seven-minute rounds for the first round, and then subsequent rounds of three minutes. We'll go that way until the time has expired.

Chief Superintendent Vickers, the floor is yours, sir.

[Translation]

**Chief Superintendent Kevin Vickers (Director General, National Contract Policing Branch, Community, Contract and Aboriginal Policing Services, Royal Canadian Mounted Police):** Thank you for the opportunity to appear today. I will make my presentation in English, but I will be pleased to answer in French if you wish to ask questions in that language.

[English]

Thank you for the opportunity to speak today. I have been asked to provide a police perspective on the use of solicitation in Canadian communities.

This issue affects many of our members who provide provincial and municipal police services in eight of the ten provinces, and in our three territories. While my remarks focus on the work of thousands of front-line police officers, please remember that the RCMP is one agency. There are many other Canadian police agencies for whom I cannot and do not presume to speak.

The keeping of bawdy houses and the practice of prostitution and solicitation are activities that go on in many of the communities we police. Where we are the police of jurisdiction, it is our mandate to enforce sections 210 to 213 of the Criminal Code of Canada. These are known facts. Perhaps less perceptible are the many peripheral crimes, activities, and tragedies that are not reflected in this section of the code, but which result from the activities listed there. Our officers see these spinoffs as well, even in small communities, where sex trade workers do not stand on street corners and clients do not drift quietly in certain sections of town.

One of the biggest challenges to RCMP resources in the recent past has been the ongoing investigation of the Pickton property in B. C., where the remains of many sex trade workers have been unearthed and identified. For 38 months now, police officers have been working full-time on completing this investigation and preparing for the trial of the accused, Robert William Pickton. With additional support staff, the number currently totals 130 people involved in the investigation.

The sheer number of forensic examples from this investigation has prompted the development of a new robotic technique for handling DNA evidence, which has dramatically improved turnaround in the RCMP forensic laboratories. Huge outlays of time and concern have been spent on encompassing the families of the victims, as RCMP personnel have helped them deal with the shattering news of the fate of their loved ones and have remained in touch to help buffer the impact whenever news conferences are scheduled to disclose new information on the case.

Is this relevant to today's hearing? Not directly, but it's an undeniable link to solicitation and prostitution, and has an undeniable effect on the work of our members. The RCMP "E" Division in British Columbia has a provincial prostitution task force, which integrates activities of other police agencies with those of the RCMP.

In Alberta, Project KARE has involved many of our police officers, who have helped search for missing aboriginal women, many of whom were involved in the sex trade. So beneficial has the work of this group been that sex trade workers have been known to call the police and let them know they will be out of town for a few days, so the officers won't start worrying about their temporary disappearance. This is a clear demonstration of the community policing philosophy that we instill in our members and the rapport they have been able to build.

While many sex trade workers enter the profession with their eyes wide open, others do not. They are forced by circumstance, by exploitive individuals who have power over them, by desperation, or by drug addiction into an activity about which they have little knowledge and for which they have little preparation. These are the ones our officers hear about as they investigate cases of human smuggling, organized crime, drug trafficking, and violent attacks.

These sex trade workers are the currency that is generated and traded among criminal gangs and organizations. They are true victims, seduced in foreign countries by empty promises of money or a better life, and smuggled into large Canadian cities to pay off debts in the thousands of dollars, or enticed from high schools right in our neighbourhoods by outlaw motorcycle gangs or other predators for similar purposes. These under-the-radar cases would never become legitimate, no matter what legislation came into effect, because they are part of a much bigger criminal network that has no real regard for the law.

The RCMP's community policing approach engages residents of Canada in actively building the safe homes and safe communities that are our goal. Prevention work makes up a large portion of these police duties, and many of these programs target behaviours or issues in young people that may cause them to consider trading sex for money or drugs. By building self-esteem and offering alternative activities, RCMP school liaison officers try to tackle crime through social development programs that kids can relate to.

In large and urban centres, programs can focus on keeping used condoms and syringes from accumulating on sidewalks or front lawns and on protecting law-abiding citizens from being propositioned as they go about their daily activities in certain sectors of town. Additional community policing projects focus on the prostitutes themselves, encouraging them to consider exiting the trade by introducing them to social service programs that provide opportunity and incentives to help them.

• (1750)

Our members also patrol prostitution stroll areas to identify and build a rapport with prostitutes, so that they will feel more comfortable in reporting violent crimes, of which they are often victims. Many of these crimes are never reported, so the perpetrators continue these attacks, and their victims risk more and greater dangers as time goes by.

Officers also collect voluntary DNA samples, fingerprints, and next-of-kin information from them, so that in the case of a missing person or a wrongful death this information will be available.

John programs target the clients, some of whom are diverted to the prostitution offender program, which in Surrey, British Columbia, has an excellent success rate in deterring repeat offences.

Another approach has been for the officer in charge of the detachment to send a letter to johns who have been caught with prostitutes, in which they provide information about the sex trade in the hope of discouraging future activity.

Even in smaller centres, families can be torn apart when a daughter runs away to enter the sex trade in a big city, or when organized crime groups recruit new members among young people who have little to do, find themselves drawn into drug addiction, and then need to make money to support their habit. For boys as well as girls, this can involve the sex trade. Often, the young people who are recruited into prostitution are taken away from their hometown or province, further eroding family connections.

The issues I have outlined today are many and wide-ranging, but they represent a very small portion of the police work that the RCMP does in relation to the sex trade. It's our view that the best way to

ensure the safety and security of sex trade workers is to remove them from this activity. The risk and dangers that are inherent in this profession are unlikely ever to go away. Thousands of years of world history have shown this to be true.

Thank you for the opportunity to provide our input into this important discussion. Those are my opening remarks.

**The Chair:** Thank you very much, Chief Superintendent Vickers.

Mr. Hanger.

**Mr. Art Hanger (Calgary Northeast, CPC):** Thank you, Mr. Chairman, and thank you, Chief Superintendent, for your presentation and for appearing in front of our committee.

I have a personal bent toward enforcement of laws, even those surrounding prostitution. I know that prostitution itself is legal, but there are laws that offer some control over this activity—bawdy house laws, living off the avails, and the solicitation laws. What would happen, in your opinion, if those three laws did not exist?

• (1755)

**C/Supt Kevin Vickers:** These laws are part of a multi-faceted way of addressing the issue. One of the real scourges you've mentioned, Mr. Hanger, is living off the avails. That is one area we could try to tighten up. These individuals literally prey on the young, recruiting them to the sex trade and controlling their lives. Anything we could do to enhance those laws or to further develop laws to address those individuals who prey on our youth, getting them into the sex trade, would be of benefit. Without that law—living off the avails—the situation would be drastically worse.

Similarly, without the procuring sections of the Criminal Code, we would be lacking one of the tools we need to keep our communities safe. Those laws are required; they are needed to ensure safe homes and safe communities.

**Mr. Art Hanger:** On the whole issue of exploitation, of course, time and time again this committee has heard not only from those who have been involved in prostitution activity but from those on the periphery, where many of these girls have entered into this or have sometimes been pressed, if you will, into this activity as youngsters. They were 14, 15, and 16 years of age.

I think the committee is of a mind that when it comes to young people, laws like this are basically necessary. But I don't know how you're going to distinguish between having laws that apply for those under 19 years of age and those over, for example, because there's always that inherent danger, I would assume, of the legalized portion still spilling down to girls of a younger age. From what we've heard, even for the trafficking of women from outside the countries that have legalized it, those numbers increased dramatically when everything was legalized for adults.

I don't know how it would be, in my own mind. I'm going to ask you how you might envision this. How can you separate criminal laws that would apply to people who would abuse our youngsters and then allow adults to operate freely within the same parameters?

**C/Supt Kevin Vickers:** I think your question hits on a number of issues.

When you speak of legalization, I don't think we would ever see a society where it would be legal for young girls of 12, 13, and 14 years of age, for example, to be involved in legalized sex trade business or issues.

When you're talking about the issue of legalization exploitation as well, I speak from personal experience, as I discussed with you prior to today's opening. I have personally investigated in the vicinity of a dozen deaths of young girls in the area of Calgary. In a number of those cases, when you're talking about exploitation, the girls were on the street having been hooked on and addicted to cocaine.

Again, when you're talking about legalization, from my own personal experience, I don't think you'd ever correct the situation. Once again the pimps would be able to continue to entice workers who are addicted to drugs and have to resort to prostitution.

The other thing on exploitation is when you look at it globally. I've read literature on eastern Europe. Since the fall of communism, in some of these countries where we've seen a lot of civil war and civil strife, young girls under the age of 12 or 14 years of age are being sold for as much as \$25,000 American dollars on the world trade market for the development of pornography, specifically for the development of pornography on the Internet and the sexual exploitation of children through the Internet.

In conclusion, there is going to have to be a concentrated effort and laws that take into consideration all these new emerging issues and emerging trends that are developing around the world.

● (1800)

**Mr. Art Hanger:** Thank you.

I'm curious about your experience, or at least your knowledge, in dealing with massage parlours, escort services, strip clubs, or strip agencies. First of all, is it devoid of violence?

**C/Supt Kevin Vickers:** No. I've investigated deaths of young prostitutes who worked for escort agencies. In particular, in Calgary there are two ladies who come to mind who worked specifically for an escort service right in Calgary. So violence is there.

From my interviews with girls who work within escort agencies, you often find, as I think you would find in the legalization perspective, that a certain percentage of them would be intimidated and exploited after they're done working their eight, nine, or ten hours at an escort agency and would then be forced by a pimp to work the street or to work clientele that has developed.

With massage parlours, bawdy houses, and those types of institutes, we often find the owners of those hiding behind a veil—that they're not responsible or have no knowledge of what's going on in the back rooms of the massage parlour. In fact, in British Columbia there will even be signs up saying "Management is not responsible for any illegal activities of the employees within the massage parlour". Yet our intelligence and investigations show that they do in fact take a large percentage of the money for the very specific sexual practices that go on in these places.

**The Chair:** Thank you, Mr. Hanger.

[*Translation*]

Ms. Brunelle.

**Ms. Paule Brunelle (Trois-Rivières, BQ):** Good evening, sir. I will give you the opportunity to speak French. It is nice of you to agree to do it.

After talking with a number of prostitutes, we get the impression that a prostitute on the street is a victim of her pimp, of violence, of her drug dependency, and so on. How does the RCMP deal with this? We feel you do a lot of enforcement on the streets, and that other activities like those in massage parlours or escort agencies go unpunished. Am I wrong? How do you enforce the law.

**C/Supt Kevin Vickers:** Generally, we are involved in all cases of illegal activities of that kind, especially in areas where we have jurisdiction to enforce legislation.

Unfortunately, in many cases, we have to deal with murders. As I explained earlier, I personally had to investigate the murder of about ten young prostitutes.

We take more action against prostitution on the streets because these women have a risky lifestyle. In BC, we had the Pickton case, and in Edmonton, Alberta, we had Project KARE, where about 20 people had been reported missing. We found their bodies, and they had been murdered.

That is why we focus more on prostitution on the streets.

● (1805)

**Ms. Paule Brunelle:** Is law enforcement easier on the streets than with more secret activities that would imply a more thorough investigation? You then have to prove that money was given for certain services. After all, you cannot go into the bedrooms.

**C/Supt Kevin Vickers:** What is going on in the streets is always obvious because it happens just under your nose. That may be another reason why we focus more on that.

As concerns what you have been talking about, like massage parlours and places like that in BC, we have used undercover agents to get the evidence we needed to lay charges against these people or the leaders of organized crime.

We have a responsibility to look after what is going on in the streets. But, as I mentioned in my presentation, we also have other community programs for young people to try to prevent situations where young people are lured by pimps and groups that would make them work as prostitutes.

**Ms. Paule Brunelle:** I understood what you said earlier about the need to make the legislation tougher with pimps.

**C/Supt Kevin Vickers:** I did not understand what you just said.

**Ms. Paule Brunelle:** Should the legislation be tougher with pimps?

**C/Supt Kevin Vickers:** We think it is most important. But we also want—and that is the reason this committee was set up—to find a way to improve the situation of those in the sex trade, mostly women.

In the US, they have a legislation to allow criminal accusations against those who transfer prostitutes or young people from one state to another. In Canada, we do not have this.

I think we could try to address or improve the situation a little by passing legislation so we can lay accusations against people in organized crime who bring women from Quebec to BC, for example. That would be another tool.

**Ms. Paule Brunelle:** I see.

Do I have more time, Mr. Chair?

**The Chair:** You do.

**Ms. Paule Brunelle:** You have raised the issue of women trafficking. Ever since this committee has been set up, I have been trying to know how important this traffic is. We have been told that women were moving from place to place in Canada, but are there many women coming from Eastern Europe or other places in Canada? Is women trafficking important here?

•(1810)

**C/Supt Kevin Vickers:** Obviously, there is some trafficking. Being involved with the international policy at the RCMP, I am aware of that.

The other day, I received a memo from BC advising me that two Chinese women had been kidnapped in China and brought in Canada for prostitution, and an organized crime group was responsible for this. We laid accusations against that group. That is just one example.

**Ms. Paule Brunelle:** How can they come to Canada? Are they admitted as household workers? How does it work?

**C/Supt Kevin Vickers:** They made false representations and marriages have been arranged so they could come here.

Once they got here, they had to work the streets to pay those responsible for their kidnapping.

**Ms. Paule Brunelle:** So they had a debt?

**C/Supt Kevin Vickers:** Yes. It is also important to know that we have sexual exploitation through the Internet. We had a case in St. Boniface, Manitoba, where a man sent a photo of himself to a young 13 year old girl. She opened the file with the photo, but software was included with the photograph. It allowed this man to take over the control of this girl's computer in St. Boniface.

He then told her he had her computer under his control. She could not believe him. He asked her to check, and she did. He told her he would destroy her computer unless she sent him a photo of her breasts. The young girl panicked. She made a photo of her breasts with her digital camera because she was afraid of her parents's reaction. She e-mailed that photo to that man.

Immediately, she saw on the screen the man had the control of her computer's mouse. He clicked on her address book and copied the addresses of all her friends. He then told her he would send them all the photo of her breasts to all of them unless she sent him a photo of her in the nude. She panicked and unplugged all the wires on her computer. She went crying to her parents and told them what had happened.

To make the story short, the next day, the RCMP arrested that man with the help of the Midlands police, in England. It is hard to believe how our children can be exploited now by people throughout the world. That is just one small example.

•(1815)

**Ms. Paule Brunelle:** Thank you.

[*English*]

**The Chair:** Madam Davies, please

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

That's a very horrifying story you just told. Fortunately, that one had a good outcome, in that the young girl knew what to do, eventually, but I'm sure there are many stories in which that wasn't the case.

I'm going to come back to that, but at one point in your presentation tonight, Superintendent, you spoke about the lifestyle on the street being very dangerous. We would certainly agree with you, and we've heard a lot of testimony to that effect. As Mr. Hanger pointed out, there are violent situations in other places as well, but I think what we've heard, and what you've said as well, is that being on the street is the most dangerous situation. You've mentioned the Pickton farm—the situation there, and what happened to those women.

One of the things we're trying to sort out is the impact of the current law. There's very strong agreement, I think, on needing to prevent young people from going into the sex trade, needing to deal with sexual exploitation of youth, and providing necessary exit services, as they're called. There's a lot of consensus about that, so I won't focus on it, but in terms of what happens when individuals are involved in the sex trade and they're facing these great dangers and risk, certainly in my community there's a lot of evidence to suggest—and women themselves are saying—that, for example, the communicating law is making it more dangerous. So when you say the lifestyle on the streets is more dangerous, I'm wondering if you can just expand upon that.

Basically we have a situation of women going into more and more unsafe areas because of complaints. The police are in a kind of no-win situation, so many of these women end up in more industrial areas, where there's poor lighting, there's not much happening on the street, they're getting into a car—they're often making a decision in a few seconds. There are other factors, and certainly I would agree with the question of drug use, but it seems to me the law, as well, is one of the factors. You can't go inside, because a bawdy house is illegal.

I know you're not there; you enforce the law, you don't create it. Actually, the police did lobby for the communicating law 20 years ago, but I really feel it has been a terrible failure and is contributing to that dangerous lifestyle now. I'm just wondering whether you could elaborate on how you see that, in terms of a factor.

**C/Supt Kevin Vickers:** I think in any problem-solving approach and in any policing approach or societal issue there are many ways to address a given issue: prevention, education, compassion, empathy, and facilitation. I think those are all tools in the toolbox. As well, the enforcement tool is another tool that we have to try to address this issue.

I think if you rely on any one tool and one tool alone, you probably will not have all that great a degree of success. We need to have a horizontal approach that would encompass our educators, our health, our social services people, our policing. Collectively, working cohesively in a multidisciplinary way would probably be the best way to address this issue. Again, when we think of enforcement as somehow being the magic bullet that's going to solve this issue, I personally don't think we're going to have a great deal of success in that.

Getting back to the street versus the escort service business, or the bawdy house, or the massage parlour, out of the 12 homicide cases that I've been involved in with the disappearance of young prostitutes, young ladies—I'm just thinking here—I know of at least two or three who, as the result of working in an escort situation, went out, met with somebody, and that was the last they were seen until the body was found. There are cases I know of where the girls were actually seen on the stroll in downtown Calgary, and their bodies were later found. There were others where the pimp was working the girl from a hotel in northeast Calgary, and that was a base of operation where they came and went from, and in that case, once again, her body was later found.

So I don't think there is any one area that we could call safer than another, because in my own personal experience in investigating these types of homicides, I've seen the workers having been killed and murdered coming from each one of those locations.

I just give you that as my own personal background experience.

•(1820)

**Ms. Libby Davies:** I really appreciate your thoughtfulness on that.

We actually heard from escorts who told us about violence they face. Not always, but there were situations, and I think we heard repeatedly that of course one of the problems is that when they face violence they're very reluctant to report it.

**C/Supt Kevin Vickers:** Again, when we get into this exploitation and intimidation, the owners of these escort services don't want their service to have a bad name or a lawsuit.

**Ms. Libby Davies:** No, but the women individually, if they've actually been raped or they've suffered violence, were very reluctant.... We heard this repeatedly everywhere. The last people they would go to are actually the police, because they were engaged in illegal activity. And on a more...not really philosophical basis, it really underlies a lot of these questions, and even the young girl you spoke about with a computer.... We're dealing with a segment of a population that becomes so marginalized that putting up with violence is seen as a better alternative than actually reporting something, because you're so stigmatized by what has gone on and so far removed from the norms of society. Even for that young girl there's the fear of reporting to her parents because of the way we view these things and how we respond.

I really feel that underlies part of the debate here, so that it's very easy for the sex trade to be invisible. In fact, if it is invisible we tend to tolerate it, we tend to not care. It's only when it's visible that we suddenly bring on the enforcement, and the sense I have now is that we rely on the enforcement tool more and more, to the detriment of some of the other tools you might have spoken about.

**C/Supt Kevin Vickers:** I just ran that nationally. It was a thought I had before coming here today. This is RCMP, not other police services in Canada. We had a total of 4,025 reported investigations of one type or another. There were 16 bawdy house, 182 procuring, and other prostitution—that could be a combination—at 3,813, for a total of 4,011; and Richmond, British Columbia, which is on a test project of another system, had 14, for a total of 4,025 investigations that the RCMP was involved in.

**Ms. Libby Davies:** Are those statistics good or bad? I don't know. How do you measure that?

•(1825)

**C/Supt Kevin Vickers:** I was surprised. I didn't realize the magnitude—

**Ms. Libby Davies:** Because you thought it was so high?

**C/Supt Kevin Vickers:** Yes, I thought that was high. I thought there might be 2,000 cases nationally.

**Ms. Libby Davies:** It begs the question, if there's that level of enforcement, what are we actually accomplishing? It seems to me that the situation is more dangerous today than it was twenty years ago. That is certainly true in my own community of East Vancouver. There's a universal sense that it's much worse now than it was twenty years ago, particularly since the communicating law came in. Those statistics exist, they're real, but the question is, how do you then evaluate that? Do you feel you're on top of what's going on or that it's actually worse out there?

**C/Supt Kevin Vickers:** I really can't comment on the degree of worsening, but I go back to my point that, to address this issue, enforcement is definitely going to play a very important role.

As an example, for young girls who are involved in this, when there's a court order that they're not to be on East Hastings Street in Vancouver, just the fact that the court order exists and the girl can no longer go to Hastings Street without being picked up by the police—and this could be a common sense perspective on my part—is ensuring her safety. She is not going to be out there where these girls are going missing and being removed from that area.

**Ms. Libby Davies:** What if she lives there?

**C/Supt Kevin Vickers:** There are other conditions that can apply, dates and times and whatever, but at least there is some instrument to help. I'm not looking at the condition to a recognizance as being limiting to someone's freedom, but in my view, it could very well serve to protect that child from being exposed—

**Ms. Libby Davies:** Are you talking about children or adults?

**C/Supt Kevin Vickers:** Young females.

**Ms. Libby Davies:** I was talking about adults, but if you're talking about—

**C/Supt Kevin Vickers:** Of the homicide cases I've investigated, there are three that come to mind in Calgary. Jennifer Reagan, Jennifer Janz, and Jennifer Joyse are three young girls that I personally investigated. They were all under 16 years of age. So if there were an instrument that could keep them from being exposed to certain dangers, that might be a benefit.

**The Chair:** Mr. Tonks, you have seven minutes.

**Mr. Alan Tonks (York South—Weston, Lib.):** Thank you very much, Mr. Chairman, and thank you, Superintendent, for being here this evening.

I don't sit on this subcommittee, so you'll have to excuse my lack of background. But having gone through the municipal field in terms of observing the issues that have been the subject of questions, I do have a couple of questions.

One question is with respect to the Internet and the National Child Exploitation Coordination Centre that has been established. Could you tell me when that was established and what has come out of the experience with respect to recommendations regarding legislative changes, resource changes, or additions to resources, or whatever?

**C/Supt Kevin Vickers:** In Canada, I'd say since probably 1997 or 1998, the police community knew it was in trouble with regard to competency, both in resources and knowledge, as to how to investigate children being exploited on the Internet.

The FBI sent to the Ontario Provincial Police, and then to the RCMP, the names of about 2,800 Canadians across Canada, from coast to coast to coast, who had used their credit cards to access illegal websites to download images of children being sexually exploited. When those investigations or those files came to Canada, many sat on the detachment shelf in the RCMP or the municipal police department simply because we didn't know how to investigate them. We didn't have the know-how. How do you get those images from the hard drive? How do you get the evidence to go into a residence with a search warrant to seize that hard drive with that image in it? How do you take that image and go before a judge to prove that this person did it?

Then when you looked at it, you needed a search warrant for the person's bank account to show that he used his credit card to access the site. You needed a search warrant for the Internet service provider to show that the image was actually downloaded to the residence. You had to prove that the person actually had the computer, or whatever, in the residence and, if you were looking at a family of six boys, for example, who was the actual one who was responsible for downloading it.

We stumbled. The Canadian police community stumbled. We didn't really have a great handle on it. We got together in March 2003. We brought the chiefs of police from across Canada and we met here in Ottawa. We decided that what was really needed was a comprehensive national strategy to deal with the sexual exploitation of children on the Internet. Part of that strategy had to include building the competency of police to actually know how to investigate these offences, as well as getting resources to dedicate to investigating them.

What happened was that the federal government, the government here in Ottawa, agreed that we would be allowed to present a

memorandum to cabinet, to the government. That memorandum to cabinet was successful, and we—and I say “we”, meaning the Canadian police community—received approximately \$50 million over a period of five years to build a capacity and to fulfill the objectives of that national strategy.

The national strategy ensures national standards for investigation. It ensures national cooperation among the Canadian police community so that we can share information, because it had been the case that you could have a police force on the east coast investigating the same group as a police force on the west coast, or the RCMP, and we'd have no idea that we were working on the same targets—those types of issues. Then we had to build the competency level of the police to know how to investigate these types of crimes and then, last, bring resources.

On this issue, we've been making progress. The law itself is a Criminal Code offence that is in provincial jurisdiction, so obviously when you have the federal government playing a role in that, we have to do that in facilitation with the provinces. And now we're seeing across Canada efforts provincially where we're building resources. I hope the Alberta government, for example, will announce shortly the addition of 20 police officers in that province, comprised of Edmonton Police Service, Calgary Police Service, and the RCMP, to address these issues—and British Columbia, equally. Again, for some of the poorer provinces it's a very difficult task, after health and education, to try to find money to have police officers to do this.

● (1830)

We were also lucky and aided just recently by a police officer in Toronto. Paul Gillespie wrote Mr. Bill Gates of Microsoft. Microsoft Canada came to us and have helped us build a national tracking system by which we can track pedophiles who are working in this.

These people are tremendously sophisticated. They are able to operate on the Internet through encryption. They have technology we don't have, in secure spots. They have horrendous manners to enter the club: you have to produce the image of a new six-month-old child being raped just so that you can get into the club to be able to traffic and communicate back and share the images of child pornography.

In the production of pornographic material, we have seen cases where Americans come to small-town reserves in northern Canada and pay children money to perform pornographic acts. On a larger scale, as I mentioned earlier, in places in Europe and Asia, we're seeing the sale of young children—young female virgins under 12 years of age, being sold for \$25,000 for the purposes of...

This all feeds back into the issue of what you're trying to grapple with here today, as well. Really, when you look at the global world—and I mentioned a case earlier where two girls from China were brought over here to Canada specifically for this purpose—this is a profound issue for society to try to grapple and get a handle on.

● (1835)

**Mr. Alan Tonks:** May I have just one—

**The Chair:** Just a quick one, Mr. Tonks.

**Mr. Alan Tonks:** Is there a report that brings together some of the issues that have come out of the experience of the centre and that could be shared with the committee?

**C/Supt Kevin Vickers:** The other thing I really invite the committee to do is come over to the RCMP and visit the National Child Exploitation Coordination Centre. You can sit down with our investigators and make these linkages and see the types of investigations. All the committee members would be more than welcome to come over for an afternoon and spend it with our folks. We have an inspector, Jennifer Strachan, who's in charge of the centre. Any documents we have we would be more than glad to share with you.

**The Chair:** Thank you very much.

Mr. Hanger, we'll have a three-minute round—for questions and answers, please.

**Mr. Art Hanger:** Mr. Chairman, I'm very familiar with the work Gillespie has done out of Toronto Metro. I think it was quite an endeavour to have Microsoft participate to such a level on that software package. It's very important.

I think it's a first in policing, too, is it not, and definitely in North America?

**C/Supt Kevin Vickers:** It is a first, and it will be a great benefit to the Canadian police. And of course, police forces around the world are coming now to try to link in. The other set of issues where we're showing development involves images. When you see a child or a young girl being a victim of pornography and/or sexual exploitation, that picture contains information. What we're having great success in, with experts, is looking at the architecture, looking at the furniture in the background of the photo. We've had a number of cases—not here in Canada, but in England and elsewhere in Europe—where they were able to track down the exact location because of the background. It's those types of investigative techniques that are assisting us.

**Mr. Art Hanger:** That's marvellous.

I wanted to go back to the issue of enforcement and the deterrence factor for, say, clients, pimps, and drug pushers when it comes to their involvement in the whole area of prostitution.

First of all, I don't think that for any of the charges that focus on that group of people there are any minimum sentences. I know there are maximums, but maximums really don't mean anything if the courts are not going to deliver some tough sentences to this element. Do you have any idea where the sentences are sitting when it comes to pimps living off the avails, and the bawdy house laws? Where are they sitting when it come to deterrence or enforcement?

• (1840)

**C/Supt Kevin Vickers:** Mr. Hanger, I'm sorry I don't have that information with me. But in sentencing guidelines, the courts would probably refer, in Alberta for example, to the Alberta Court of Appeal for precedent. I think more importantly—and I see why I was invited for suggestions to try to improve the way we make things safer, and I think this falls into your question, Mr. Hanger—our processes in court to be able to successfully prosecute these people who are driving or are behind this issue of exploiting women, be it

young women or older women.... There are some issues the committee may want to take a look at.

In Canada today, for example, in a domestic violence situation, when a female does not wish to testify against a husband who continues to batter her, she's compelled to testify. The Crown will proceed with provisions for an uncooperative or hostile witness to try to ensure that evidence is brought out against the individual, for deterrence and for penalty.

Also a lot of young people under 18 years of age are very scared to go into open court and testify. There may be opportunities to think of having those young people re-testify in closed court or via closed-circuit television, for example, so that they're not intimidated by the court process. In those processes for getting evidence out in prosecutions there may be opportunities we could look at for improvement, especially when we're talking of children who are scared to be witnesses in a court process.

**The Chair:** Mr. Hanger, this will be your last question, please.

**Mr. Art Hanger:** Just as a matter of clarification on this, looking at your domestic violence laws where women are compelled to testify against an abusive boyfriend or husband, are you suggesting it be a similar set-up, where the prostitute is compelled to testify against a pimp, a drug pusher, or maybe even a client?

**C/Supt Kevin Vickers:** That's exactly right.

[*Translation*]

**The Chair:** Ms. Brunelle.

**Ms. Paule Brunelle:** It was very interesting that you talked about prevention, compassion, and enforcement, and that you said an horizontal approach was needed, and enforcement is just one part of it.

Clearly, prevention is a major tool to address the problem of people starting in the sex trade at a very young age. The more this committee goes on, the more we realize this is a complex social problem.

That being said, and perhaps because we are more aware, we realize that young people start early in the sex trade. Do you think this is because our legislation is not adequate to keep them from doing it, or is because we do not focus enough on prevention?

**C/Supt Kevin Vickers:** Come to think of it, I have another suggestion. We have a national strategy on the sexual exploitation of children over the Internet, but do we have a national strategy against prostitution? I do not think so.

**Ms. Paule Brunelle:** We could have a national awareness campaign, just like we have one on smoking and drinking.

**C/Supt Kevin Vickers:** We think the goals of such a strategy should focus on prevention, facilitation, coordination and national standards on enforcement and investigations.

Perhaps we could discuss this suggestion of having a national strategy to deal with prostitution, which involves both adults and children. This might be another tool to address the problem. It could include the contribution of all stakeholders like police forces, education, social services and other people.

•(1845)

**Ms. Paule Brunelle:** This is a good idea.

**The Chair:** Are you done?

[*English*]

Madam Davies, please.

**Ms. Libby Davies:** It's just a short question. I just want to properly understand your response to Mr. Hanger, when you were talking about domestic violence and women being compelled to testify. I thought it was more that police were compelled to lay charges. I don't know whether the actual victim is compelled to testify.

In terms of the sex trade, are you suggesting this apply to sexually exploited youth or all sex trade workers, that they would be compelled to testify? I wasn't quite clear what you were saying there.

**C/Supt Kevin Vickers:** Again, I think it's something we might wish to consider. I'm not recommending it, but I think it is something the committee might wish to explore. Is there any benefit, for example, in a relationship where a pimp is being exceptionally brutal against an adult worker, where she fears for her life or her safety and is reluctant to testify? In those types of situations, would it be of benefit to have an avenue open for the crown prosecutor to ensure she does testify?

**Ms. Libby Davies:** Does that exist anywhere else, though?

**C/Supt Kevin Vickers:** Oh, yes. The Canada Evidence Act already has provisions where, if a person either changes his evidence or is reluctant to testify, if that person has given a statement in the past the Crown can rely upon that statement in evidence.

There have been some court decisions on this. One has come from the Alberta Court of Appeal. It's called K.G.B.—and it's not the Russian police force, it's the name of the person. The person had given a statement to the police and then, for whatever reason, in this case let's say it was fear for a person's safety... The court can take that statement and it can be entered as evidence against the accused. The court will consider the weight it's given. It may not totally rely on it, but that statement, for example, could be used against the accused.

There are other provisions within the Canada Evidence Act. I'm not an expert, I'm not a lawyer, but there are manners in which people who are typically referred to as hostile witnesses can be required to give evidence.

**The Chair:** Tout fini?

Mr. Tonks, three minutes, please.

**Mr. Alan Tonks:** Superintendent, my line of questioning isn't to suggest that I agree with what I'm going to question you on, but from time to time, local ordinances have been reduced or changed regarding loitering and so on, and areas within cities have been declared under special legislation, areas where prostitution is legal. It's a subset to a regime that is different from national or provincial.

What has been the experience with respect to that approach to the issue of prostitution? Does it have implications with respect to associated activities vis-à-vis drugs, gang activity, organized crime, and so on?

**C/Supt Kevin Vickers:** The only area I can think of to comment on is in Surrey, British Columbia, where we are the police force jurisdiction. In Whalley there's a federal penitentiary, and that area is prone to a higher incidence, if you will, of this type of activity.

I'll be very honest with you. I'm not sure there's any special provision in that area of Surrey for the outward action of the workers there, other than the fact that it's a concentrated area that we, the RCMP, focus on. We focus on a number of activities there to try to regulate the situation.

In that area and zone, I know that the RCMP in Surrey, British Columbia, have had good success with programs for johns. They have put in place programs where these men who have attended those specific areas are required to attend programs, and they've had a fair degree of success.

I'm not really qualified to specifically answer your question, and I apologize for that.

•(1850)

**Mr. Alan Tonks:** No, that's quite all right. It was my recollection that Detroit, for example, tried an approach similar to that and in fact had abandoned it because it became what is colloquially known as a combat zone. The proliferation of other activities in fact overwhelmed the local forces with respect to the original problem that they were attempting to deal with.

You talked about the legal code that exists with respect to decriminalization and the changes in the relationship between sex workers and the police now to form a closer bond so that sex workers who are exploited feel more confident in coming forward, that they have protection and so on. To what degree does decriminalization facilitate this kind of relationship that would let police and law enforcement agencies really protect those who are exploited? Do you have any examples of this?

**C/Supt Kevin Vickers:** In my introduction I mentioned the work of our members in Project KARE in Edmonton, Alberta. And as you know from the press, over the last several years there have been very grave concerns as to what's happening in the Edmonton area with the continued disappearance of sex trade workers who have been killed and whose bodies have been found discarded outside the city.

The essence of community policing is working together with the community and knowing the people who you work with. Our terminology is clients. Our clients are everyone we deal with, essentially, all our stakeholders. In this case, just as we would want to develop relationships with those who may be involved in other types of crime for the purposes of prevention, our members in Project KARE really have identified and have been working to go out and develop these relationships. I'd like to add here that Project KARE is a wonderful example of integration. It involves the Edmonton Police Service, the Calgary Police Service, the RCMP—we even have some first nations police officers working within Project KARE.

So a certain amount of trust has been developed. The ladies, in a number of cases, have voluntarily submitted samples of their own DNA in case they themselves become victims of homicide. They've given the names and addresses of relatives to contact if they should happen to disappear. And as I mentioned, in some instances they're even phoning in if they're going to be out of town for a week, so the police know that they're not victims of crime.

I think it really takes this type of relationship and development of trust to be successful in identifying those who are behind the scenes exploiting these individuals in this type of activity.

**Mr. Alan Tonks:** Do I have time for one more short one?

**The Chair:** Sure.

**Mr. Alan Tonks:** In terms of those who are exploited by traffickers, we have witness protection schemes and so on, but what is available for the women who do come forward, in the example you used?

**C/Supt Kevin Vickers:** It's very difficult. If a case is serious enough there is the Witness Protection Act that the police can use for an individual, should they decide on that. That would be in really exceptional cases. Ms. Davies talked earlier of exit strategies that different agencies have in place, where we can divert these individuals to try to get them out.

Again, I'm just relying on experience here. I'm not sure what the phenomenon or control is that these individuals, these pimps, have over these young girls, but it is unbelievable. I've talked to numerous young ladies involved in this issue, and those individuals who control their lives are everything to them.

The other thing I found really startling during my investigations was the background of the girls who are involved. We think their fathers were alcoholics and their mothers were living on the poverty line, but that's not the case. I know of an RCMP officer's daughter who fell under the control of a pimp. These people come from all segments of society, and when they get locked into that type of life it's a very difficult process for them to go back. It's a really tragic circumstance for society to deal with.

● (1855)

**Mr. Alan Tonks:** Thank you, Mr. Chairman.

**The Chair:** I have just a couple of questions.

Chief Superintendent Vickers, sex workers and people who work with sex workers tell us the solicitation laws are part of the problem vis-à-vis being exposed to violence and violent behaviour. They have five to ten seconds to make a decision to jump into a car with a client. Neighbourhood groups say if you take away the solicitation law it'll be the wild west. There'll be tons of traffic, with solicitors up and down the street, regular women being accosted, problems with children, and all the safe community problems.

The police say if you take away the solicitation law they will have no tools to clamp down on an area and perhaps move people from one area to another. Especially with children, they will have no tools to pick them up and take them to shelters, notwithstanding it's a fairly revolving door. The children go in one door and the shelters really can't keep them—they go out the back door.

How do we reconcile those two problems? In fact, most people agree that the five-to-ten-second interview period...they do it very quickly to avoid the police and solicitation. But it may get them into trouble physically. We have to protect neighbourhoods too, and we certainly have to protect under-aged women who are involved in this. How do we reconcile those positions?

**C/Supt Kevin Vickers:** To me, the answer is probably balance.

**The Chair:** Where's the balance? That's what we're looking for.

**C/Supt Kevin Vickers:** What's needed to address these issues is a multi-disciplined, multi-faceted approach. It may be reckless to think that enforcement does not have a role to play, but if we rely on enforcement alone, I don't think we're going to move anywhere.

Communities that have problem neighbourhoods have to work with the police in addressing the issue in a global way. The citizens of Canada have a role to play in this issue. It's not good enough to be a citizen of Canada and call the police and say, "I've got a problem here in my neighbourhood. Come and fix it". It's not just the problem of the police. It's not the prostitute's problem. It's everybody's problem. We, as a country, have to address those issues. Everyone has a role to play.

In our school programs, we have police officers dealing at a very fundamental level with youth. We want to establish trust early, so that young people are not attracted to drug addiction and other dangers that could lead to prostitution.

There is a role for enforcement. It is important not only in catching the people behind the sex trade workers, but also in protecting these workers. Even so, police have to realize that enforcement alone is not the answer. To address these issues, we need an approach that is multi-faceted, multi-disciplinary, and collective.

● (1900)

**The Chair:** Another theme that kept coming up throughout our travels across the country was that the relationship between sex workers and the police was very poor, except in the cases where officers on the vice squad worked very closely, perhaps one-on-one, with sex workers on the street. We heard some pretty sad stories of the callousness and insensitivity of the patrol car officer who doesn't deal with the district on a regular basis.

Does the RCMP have sensitivity training for officers? We heard of one situation where a sex worker was beaten rather severely. She reported the matter and the attending officer said, "Oh, you're just a prostitute". He then turned around and walked away, saying, "Next time, make sure it doesn't happen on my shift, because I don't want to have to fill out the paperwork if you're killed". That's just one example, and it wasn't a member of the RCMP. But that type of attitude seems to be systemic across the country, with the exception of vice workers, who sometimes adopt a more protective role.

**C/Supt Kevin Vickers:** The very core or foundation of policing, the very essence of policing, has to start with respect for human dignity. For every police officer in Canada, whether you're wearing the yellow stripe of the Royal Canadian Mounted Police, the red stripe of a municipal police department, or the blue stripe of the OPP, the very nature or premise of policing—and success in policing as a profession—is respect for the dignity of all people, and that goes to those who murder, those who are behind the exploitation of these children, and to the victims as well. We have to have a society that respects human dignity.

In my time in the RCMP, have I seen members acting inappropriately or commenting inappropriately? I have, but it's incumbent on police officers, if they witness that type of behaviour, to challenge it and to come forward and say it is just not acceptable.

If the incidents you've spoken of are in fact true, they are just totally unacceptable. On behalf of the profession, and not only for the RCMP, if they are true, I would apologize profusely for that type of callous behaviour by a professional police officer.

My general experience, through working on major crimes and on these types of issues and having dealt with literally hundreds of women, especially in my 10 years on the Calgary major crimes unit, the vast majority of police officers I've dealt with, be they the Calgary Police Service or the RCMP or whoever, is as I say: it's the dignity and respect for people. I've seen tremendous acts of kindness by our officers. You see officers taking money out of their own wallets for clothing and shelter.

Generally speaking, my own personal experience with the Calgary Police Service and our partners is that the relationships I've observed are healthy ones; the members had open contact. My own experience as well is that these girls out there are tremendously close to one another; they're very connected.

I can remember going on one particular evening to a residence where there were a number of workers wanting to know if it was in fact their friend whose body we had found. We did have a photo, and I went to the residence to help identify the body, and I can remember that there had to be at least a dozen of the sex trade workers there, and they were crying profusely about the loss of their friend. When I look back and think about that experience, it would not be like anyplace else, where these girls, these ladies, were very emotionally and sincerely upset at the loss of one. There was a closeness with the police when we were there to calm them and to explain to them the process of the investigation and our next steps, and throughout the course of those investigations, I remember nothing but good experiences that I and my colleagues had with them.

So I would end by asking, does it happen in Canada that some police officers would act improperly? I suspect there are cases of that, but with the vast majority of police officers I know from my dealings and working with them, I've never had the experiences you talked about.

• (1905)

**The Chair:** I appreciate your philosophy and your approach, but do you have in-service training that reinforces that philosophy from time to time? I know that when you're on the beat, you can get pretty cynical from what you see, and certainly from what we saw, but is

there a constant effort to reinforce that philosophy throughout the force?

**C/Supt Kevin Vickers:** I can speak for the RCMP. The conduct you're talking about is zero tolerance. It's just unacceptable. From our basic training at our academy in Regina, the RCMP Depot, the importance of respecting human dignity is emphasized over and over again.

I think most police services in Canada have a mission statement, and more importantly, such as the RCMP, they have a set of core values. The core values of the RCMP are the essence of who we are. Professionalism, empathy, compassion, integrity, honesty, and loyalty are the core values of our organization. I'm sure they're mirrored by every other police force in Canada.

Those core values are not something we only talk about; they're who we are. If we lose the core values of who we are, then we're in serious difficulty. Our clients, the citizens of Canada, will obviously lose faith, trust, and confidence in the police.

Talking about training, it's obviously very basic training in all police services. The requirement of professionalism, integrity, and compassion are things that are spoken of all the time. For any ongoing course or training, the courses are always repetitive on the message of integrity and professionalism.

• (1910)

**The Chair:** Thank you.

I believe our researchers may have a question or two.

**Ms. Laura Barnett (Committee Researcher):** We've heard a lot about community complaints of prostitution in neighbourhoods. The Criminal Code provides numerous tools for responding to those kinds of complaints—for example, breach of the peace, causing a disturbance, common nuisance, loitering, or indecent exhibition. When we talk to the police, they always say that the only tool they have for responding to prostitution complaints in communities is section 213. Could you comment on that? Why would the provisions I mentioned not necessarily be used? Are they falling into disuse?

**C/Supt Kevin Vickers:** The other sections of the code would certainly be applicable in certain circumstances with regard to this activity. I really can't see why any of those sections could not apply under certain circumstances. If there is a reluctance or a propensity, I guess, to rely on section 213, maybe it's something that needs to be addressed.

For example, the RCMP might want to take a look at operational policy. What is the policy to deal with this? Many times we'll leave it up to a local area. For many of the communities that we police in small-town Canada, it's not an issue. In Surrey, British Columbia, for example, it is a very big issue. The RCMP in British Columbia would develop local policy as far as addressing that issue in their area is concerned.

I'm unaware of any specific policy to tell a police officer to consider the other sections of the Criminal Code that may apply while investigating one of these offences. Obviously, as you mentioned, if there was the circumstance of a breach of the peace and there were circumstances that would justify enforcing that section, then a police officer would certainly be free to do so.

**The Chair:** This will conclude our hearings.

**C/Supt Kevin Vickers:** Thank you very much, sir.

Superintendent Vickers, we're very appreciative of your appearance here this evening. We certainly appreciate your insightful and thoughtful comments. I'm personally very happy that a man of your calibre is wearing our RCMP national police uniform.

**The Chair:** We'll now go in camera so that we can have our general discussion.

Thank you.

*[Proceedings continue in camera]*

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