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# **Standing Committee on Justice and Human Rights**

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**EVIDENCE**

**Thursday, July 10, 2014**

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**Chair**

**Mr. Mike Wallace**



## Standing Committee on Justice and Human Rights

Thursday, July 10, 2014

•(1300)

[English]

**The Chair (Mr. Mike Wallace (Burlington, CPC)):** This is meeting number 42 of the Standing Committee on Justice and Human Rights on this afternoon of Thursday, July 10. It's our second-to-last meeting, pursuant to the order of reference of Monday, June 16, 2014, on Bill C-36, An Act to amend the Criminal Code in response to the Supreme Court of Canada decision in Attorney General of Canada v. Bedford and to make consequential amendments to other Acts.

We have a number of witnesses with us. I want to point out that our witness from Calgary via video conference, Ms. Giacomini, is on video now. We're having difficulty with video conferencing from Calgary because, we think, the Internet is so busy out there with the stampede. She will be able to hear us and you will be able to hear her. We may lose the video feed on occasion. Don't be excited, if that happens; we'll get her back. But she can continue to hear us and we can continue to hear her.

The witnesses, as listed in the orders of the day, are as follows. From the Canadian Association of Sexual Assault Centres we have Ms. Steacy and Ms. Sarroino.

How do you say your name?

**Ms. Mélanie Sarroino (Quebec, Canadian Association of Sexual Assault Centres):** We say "Sarrino" to make it easy.

**The Chair:** How would you really say it, though?

**Ms. Mélanie Sarroino:** It's "Sarroino".

**The Chair:** Oh, that's much nicer. Thank you very much.

From the PEERS Victoria Resource Society we have Ms. Phillips and Ms. Potvin. From Glasgow in the United Kingdom we have, from the Centre to End All Sexual Exploitation, Ms. Quinn. From Boston, Massachusetts we have, from Defend Dignity, The Christian and Missionary Alliance, Ms. Gerrard. From Calgary we have, with the Servants Anonymous Society of Calgary, Ms. Giacomini.

Thank you very much.

Each group has 10 minutes. We will start with the Canadian Association of Sexual Assault Centres.

The floor is yours.

**Ms. Lisa Steacy (British Columbia, Canadian Association of Sexual Assault Centres):** Good afternoon.

I'd like to begin by acknowledging that we're gathered here today on the traditional territory of the Algonquin people.

My name is Lisa Steacy. I'd like to thank the committee for inviting Mélanie and me to speak on behalf of the Canadian Association of Sexual Assault Centres, which I'll refer to as CASAC to save time.

CASAC is one of the oldest coalitions of sexual assault centres in the world. Founded in 1975, CASAC-member centres continue to provide front-line crisis support and intervention to women from Halifax to Vancouver, in English and French, and in urban and rural communities. CASAC speaks publicly for the thousands of women who tell us their stories on confidential crisis lines.

By providing women across Canada with crisis support, CASAC has accrued unique and intimate knowledge about the causes and consequences of male violence against women, including prostitution. Every one of our public statements on prostitution and male violence against women is informed by the women who call our lines and disclose the previously private violations of rape, battery, incest, and prostitution to front-line workers.

Formerly prostituted women have joined our group in Vancouver, the group in Montreal, the group in Ottawa, and in many other centres to train as volunteers or to work on staff to assist women who are surviving and trying to escape the routine exploitation and violation of prostitution. I'm assured in my conviction and compelled to speak because of these women, as are CASAC members across the country.

I personally have spoken to, met, and can name women who are prostituted on the street and behind the closed doors of escort agencies, massage parlours, and strip clubs and women who advertise themselves online because they bought into the notion that prostitution is a viable, safe, and empowering way to earn the money that they need to put themselves through university. These women have been threatened, raped, and battered by men who purchase sex. They have been threatened, raped, and battered by pimps and procurers. Every single one of them has struggled to endure and survive the day in and day out dangers and violations inherent to prostitution.

In 2001, our members insisted on and passed a resolution that prostitution is a form of male violence against women. In 2005, we further articulated our analysis that prostitution is a harmful practice of sexist and sexual discrimination. It exploits and compounds women's social inequality, the economic inequality of women living in poverty, and the racial inequality of women of colour and aboriginal women.

The government's proposed change to the criminal law offers an opportunity for society, through law, to stand up for and alongside women who insist on more for themselves, and for all women than, being bought and sold in prostitution. The very existence of prostitution not only creates a subclass of women commodified as objects to be bought and sold by men, it sustains the sexual and sexualized inequality of all women.

The definition of "consent" in section 273.1 that follows the sexual assault offences in the Criminal Code provides a useful framework for CASAC to counter the assertion that prostitution is an equal transaction or a sexual activity to which women consent. "Consent" is defined as "a voluntary agreement to engage in the sexual activity in question". The brutal forces of poverty, violence, and inequality that coerce the vast majority of women into prostitution effectively negate consent.

Bill C-36 rightly situates the criminal offences related to prostitution in the section of the Criminal Code for crimes against the person. The women who call and answer our crisis lines across the country have known for decades that prostitution is not harmful because it is a nuisance or a vice, it is harmful because it is a violation of a person, most often a female one.

CASAC is encouraged that Parliament has drafted a bill that makes it clear that there's a vital role for criminal law to play in condemning and curtailing the continued prostitution of women and girls in Canada. In both the 2001 and 2005 CASAC resolutions, we agreed that criminal law can and should serve to prohibit and denounce male violence against women. Bill C-36 is a necessary response to the demands of women and women's groups that the government recognize that prostitution disproportionately impacts women and undermines their Charter rights to dignity and equality.

The provisions that criminalize the actions of johns precisely target the men who demand unfettered access to women's bodies. The provisions that criminalize the actions of pimps and profiteers accurately target the men who coerce women and girls into prostitution, who capitalize on women's economic and social vulnerability to recruit them into prostitution, and who benefit economically from women and girls remaining in prostitution.

• (1305)

The provisions that apply to johns, pimps, and profiteers are consistent with an understanding of prostitution as a criminal act of male violence against women. However, from our decades of work with women who've experienced rape, wife assault, incest, and sexual harassment, we know that there is a systemic failure at all levels to arrest, charge, and convict men for violence against women using the laws that exist. We must not compound this failure by pardoning men and further abandoning women by decriminalizing prostitution.

Diligent implementation of the proposed laws will be critical if they're to be effective in achieving their stated aims. The federal government has the responsibility to play a crucial leadership role in setting the standards for police and prosecutors across the country in order to ensure enforcement of all laws that criminalize violence against women. Any criminalization of women in prostitution is inconsistent with an analysis of prostitution as violence against women.

We unequivocally oppose the government's proposal to criminalize communication in certain locations in the name of protecting communities. The laws that criminalize johns and pimps apply in all locations, and a further provision that applies to prostituted women in certain locations is entirely unnecessary.

Bill C-36 correctly asserts that prostitution is exploitive, harmful, and violent. The vast majority of women do not freely choose to be in prostitution, so it is therefore inconsistent that women in prostitution can choose the location in which they are prostituted. This provision will likely compound current bias in the delivery of justice in which the most marginalized women—the destitute, the racialized, and the addicted—in street-level prostitution are disproportionately targeted and punished.

The federal government's allocation of \$20 million in new funding to programs that assist women who want to leave prostitution is simply not enough. Prostitution, like all forms of violence against women, prevents women's equality. Any lack of equality makes women vulnerable to violence. Working to aid women after sexist violent attack is not enough. We must end the inequality of women and the use men make of it.

All parties and all ministries at all levels of government will need to make a substantive commitment to eradicate the desperate inequality that prostitution exploits and entrenches.

Thank you.

• (1310)

[*Translation*]

**Ms. Mélanie Sarroino:** Good afternoon.

My name is Mélanie Sarroino, and I represent the Regroupement québécois des Centres d'aide et de lutte contre les agressions à caractère sexuel. We are members of CASAC and the Women's Coalition for the Abolition of Prostitution.

For 35 years, we have been dedicated to developing a better response for women who are victims of sexual assault and for Quebec communities that want to prevent and address sexual violence. We have 26 member centres in all regions of Quebec. Our work focuses on three streams of intervention—direct services, awareness raising and prevention, and advocacy.

Various studies show that between 80% and 90% of women who have been involved in prostitution were sexually assaulted as children. It is established that being a victim of violence increases the likelihood of being subjected to violence again. That continuum often goes hand in hand with adverse social and economic conditions that contribute to women eventually ending up in the prostitution system.

In that context, the effect prostitution has on women's lives is similar to the consequences of sexual assault. Women who have been sexually assaulted, women who are involved in prostitution or those who have left it behind suffer from insomnia, anxiety, phobias, depression and dissociation. They can also have all sorts of psychological and physiological issues, including gynecological problems, not to mention the social consequences.

I am not going to repeat what my colleague talked about. Of course, we definitely agree with her when it comes to gender equality and the consequences of not repealing section 213. I won't go over that again in order to save time.

We often hear the argument that criminalizing clients will make prostitutes more vulnerable, since they won't have time to assess men. For those of us who work in the area of violence against women, that argument does not hold water. It is hard for us to believe that an additional 5 to 15 minutes will help a prostitute figure out whether or not a man is violent, either before she gets into his car or before he enters her apartment.

We know perfectly well that violent men are often skilled manipulators and cannot be identified quickly. Very often, the women already know and trust them.

The part of the legislation that criminalizes purchases will make things easier for us in the sexual exploitation prevention workshops we provide annually to thousands of young people. In Quebec, CALACS provide prevention education to over 25,000 students a year. Decriminalizing purchases would have been catastrophic. How can involvement in the prostitution system be prevented, be it in terms of recruiters or merchandise, when the law authorizes it?

The new legislation enables us to deal with the issue in the same way we deal with sexual assault. We use that topic to discuss violence in romantic relationships—the abusive power stemming from social inequalities. The new legislation helps make our message much more consistent for young people.

In addition to the legislation, Canada must also deal with the factors that contribute to women becoming involved in prostitution, including poverty, racism, the effects of residential schools, the shortcomings of the youth and child protection system, as well as the idealization of prostitution.

It is imperative to create social supports to provide women with sources of income other than prostitution. That includes a full range of exit services that would give prostitutes health care services—including detoxification care only for women—safe housing for them and their children, legal assistance, access to education and job training, quality counselling services and a guaranteed subsistence income.

Prostitutes must be eligible for all the compensation plans designed to support victims of crime and should have their prostitution-related criminal record suspended, so that they can find another job.

We also think that all the existing resources—including women's centres, sexual assault centres and shelters—should be able to provide, both through tools and an adequate budget....

● (1315)

[English]

**The Chair:** It's 10 minutes per group, not 10 minutes each. You're well over your time. So if you could try to get to a conclusion relatively soon, that would be fantastic. Merci beaucoup.

[Translation]

**Ms. Mélanie Sarroino:** In brief, if you provide us with funding, we will help women cope.

We are calling for a major national campaign to raise awareness across Canada about the harms and consequences of prostitution for women, but also about prostitution as a form of oppression specifically targeted at women.

In closing, we want to reiterate our solidarity and commitment to the defence of the basic rights of freedom, equality and safety for all women. As long as women's bodies and sexuality are seen as accessible for men, as long as women and young girls are thought of as sexual objects, and as long as violence is trivialized and denied, we won't be able to recognize it, let alone fight it.

Thank you very much.

[English]

**The Chair:** Merci beaucoup. Thank you for that presentation.

Our next presentation is from PEERS Victoria Resource Society. The floor is yours, for 10 minutes, please.

**Dr. Rachel Phillips (Executive Director, PEERS Victoria Resource Society):** Thank you very much.

My colleague Natasha and I are very pleased to be here representing PEERS Victoria Resource Society, which is located in Victoria, B.C. We'd like to thank those who contributed to our joint presentation based on their experiences in the sex industry.

I am the executive director of PEERS, which has been in operation for close to 20 years. Our key programs include day and night outreach, a drop-in centre, a health clinic, employment and education support. We also prepare and circulate the “bad date” or aggressor sheet in our region.

Our programs collectively serve some 350 to 500 persons per year, depending on funding. Some of our program participants regard themselves as currently in the sex industry, while about a third would identify themselves as no longer in the sex industry but continue to use our services because they require assistance with housing, health care access, and other forms of social support.

I'm also a social scientist affiliated with the University of Victoria. In that capacity, I have conducted research on the social determinants of health in the sex industry for over a decade. Currently, I am conducting a national study of managers of escort agencies and massage businesses as part of a large CIHR-funded study led by Dr. Cecilia Benoit.

I want to begin with a few contextualizing statistics about our region specifically. Over the past 15 years, Dr. Benoit and her colleagues have conducted three large health studies of people in the sex industry. Great care was taken in the methodological design, including reaching a diverse and large sample. Looking across these studies, it was found that the median age of first transaction in the sex industry was the early twenties, with a significant minority of participants reporting selling sexual services before the age of 18. Close to 80% identified as women and just under 20% identified as aboriginal. The mean age at the time of the interview was early to mid-thirties. We did not find an over-representation of ethnic minorities, but rather an under-representation.

The individuals interviewed in these studies, as well as those we work with at PEERS, hold diverse views of the sex industry. That is really an important point: they do hold diverse views of the sex industry informed by a range of experiences. However, most take issue with being characterized fundamentally as victims. As one of our members commented, "Although I feel like I had to become a sex worker to support my little girl, it was still my choice, and if I had to do it over again I would." Another commented, "When women like myself proclaim they are in the business by choice, but people insist on viewing it as victimization, it insinuates that we are not capable of making decisions for ourselves." Another commented that "The only thing that pushed me towards escorting was my own curiosity."

One of the very positive developments we have in our region is with the Victoria police. There are two units—the special victims unit and the community liaison unit—that work with PEERS to reach out to sex workers, to encourage them to report crimes and other concerns.

In preparing this for presentation, one of our police liaison officers informed me that there had not been any trafficking charges in our regions in many years, and few if no prostitution-related charges. Instead, their focus has been on targeting only those who exploit or harm sex workers. For example, there have been six reported incidents of what are commonly referred to as "bad dates" this year, and the persons who committed these crimes—not all of whom were sex buyers, by the way—are the priority for law enforcement, as opposed to sex buyers as a whole.

Below I would like to briefly comment on some specific sections of Bill C-36, although I realize it's been discussed extensively already this week. We agree with others who have detailed why proposed section 286.1 and section 213 will continue to constrain communication between sex buyers and sellers, and we also emphasize the need for sex workers to freely communicate with purchasers in order to assess them, set the terms of service, and obtain key pieces of information. Screening is only one aspect of it. You also have to require information from people, and people have to be willing to give you that information. That's part of establishing security as well.

The evidence of this was carefully considered in Bedford versus Canada, and painstakingly considered, I think. Moreover, section 213 fosters a climate of stigma and discrimination as it identifies people in the sex industry as threats to rather than members of the community. It will predictably be disproportionately applied to street-based sex workers. These individuals do not have the means to pay fines or obtain legal support, and their fear of police is already substantial and more deeply rooted than in prostitution law alone, particularly for those who are substance-dependent, without secure housing, or have been subjected to racial discrimination.

Proposed section 286.4, which criminalizes advertising also potentially impedes workers' ability to communicate for the purposes of safety and security. I won't go into that much because I think it's been covered and we have limited time.

Proposed section 286.1, which criminalizes material benefit from sexual services, places constraints on sex workers who wish to engage with others in assisting them. While we recognize that there are noted exceptions, and they have been discussed this week, this law is nevertheless very problematic, from our point of view, as it potentially places an onus on these parties to prove that they fall within these exceptions.

● (1320)

There was some discussion the other day regarding the meaning of the "no exception" clause in proposed subsection 286.2(5), which seems to suggest there is no form of material benefit permissible within a commercial enterprise. I'm hoping for a little more clarification today as this section—

**The Chair:** Ms. Phillips, I know you're trying to meet your time. I'll give you a little extra time, but could you slow down a little bit so our translators can translate. Thank you very much.

**Dr. Rachel Phillips:** Okay, sure.

I'm hoping for a little more clarification, if possible, as this section is worrisome to many people in our region. We have heard the term "pimp" used in relation to Bill C-36 with little clarification of what is meant by this term. My colleagues and I recently interviewed 61 persons who manage commercial enterprises. We found that 60% were women and just over 70% of these women identified as current or former providers of sexual services. Therefore, if this provision aims at so-called pimps, it is likely that it will capture other women, many of whom are or were sex workers themselves.

I'm going to run short of time here, but as a support person in an escort agency in our region noted:

In addition to supplying safer sex supplies, safe rooms equipped with alarms, indoor agencies provide a lengthy screening process.... We brainstorm tactics for boundary setting and coping with the small percentage of clients that are disrespectful, drunk, aggressive. I hold the safety and security of people in the agency I work in highest regard.

Another person who worked in an agency commented, "It allowed a safe place to work, and the company of other women with whom I felt a closeness."

In closing, I'd like to reiterate that engaging women, men, and trans people in the sex industry can only effectively happen when you respect their varied perspectives and the complexities of their experiences and the complexity of factors that give rise to those experiences.

I will end with another quote:

I wouldn't have gone to PEERS if I thought they would tell me how to live my life or try to make my decisions for me. I went to them because I knew they would provide emotional support and a free medical exam in a non-judgemental environment.

[*Translation*]

**Ms. Natasha Potvin (Member, Board of Directors, Peers Victoria Resource Society):** Good afternoon.

My name is Natasha Potvin. I am a Métis woman.

I am proud of having worked in the sex industry. I was involved in it from the age of 21 to the age of 37. That was admittedly a choice I made.

[*English*]

**The Chair:** There is a technical problem.

Go ahead, I'm sorry.

[*Translation*]

**Ms. Natasha Potvin:** As I was saying, I worked in the sex industry from the age of 21 to the age of 37. This was a choice I made for my daughter, and I am proud of that. It was also my choice to come testify before you today.

I have had two children and a husband for 11 years. I live in Victoria. I am on the board of directors of the PEERS organization and a member of the Canadian Alliance for Sex Work Law Reform. I was also part of Dr. Cecilia Benoit's research team. I currently hold a position at AIDS Vancouver Island in a harm-reduction program.

I am outraged by Bill C-36. I think it disrespects our human rights by stressing the fact that I am a victim because I chose to work in sex trade. However, I chose that job of my own free will. Referring to me as a victim or treating me as such ignores and denigrates my reality. It disregards my choice.

I had a good relationship with many of my clients. I was very fond of some of them, and others a bit less, but I never felt abused. However, I was a victim of discrimination. I was visited by youth protection service workers, who threatened to take away my son because I was a sex worker.

Afterwards, I became very reluctant to tell people that I was part of the industry. I felt very alone and defenceless. Consequently, had anything happened to me, I would not have reported it. I do not feel that Bill C-36 will help improve the situation. It will not put a stop to the stigma and judgment toward people who engage in this activity.

As Mr. MacKay said in his speech earlier this week, Bill C-36 should lead to a reduction in the supply and demand. Unfortunately, this bill will not have the desired effect. Instead of resolving the situation, the legislation will shift the problem and force sex workers to conduct their transactions in a context of increased pressure. There will be much more potential for conflict, and client screening will be

inadequate. At the end of the day, the bill will make individuals involved in that occupation more vulnerable.

It will become more difficult for stakeholders—such as PEERS—to provide services, build trust, establish an open relationship with female and male sex workers or transgendered individuals, as it has been shown that street workers see criminalization as a threat.

I think that Bill C-36 could even endanger mobile response teams—which patrol the streets every night to provide frontline support—by prompting them to take to isolated areas like the clientele. Moreover, they will be doing their work in poorly lit locations, with no eye witnesses around.

I would like to bring up a relevant comment made by a PEERS member:

I am deeply concerned by Bill C-36. If that legislation is passed, it will impede my ability to screen and select my clients and negotiate my conditions—my own work conditions—during those meetings. The criminalization of my clients will make my job more difficult. I am already starting to plan ways to work around those new laws. I feel very nervous about my future and my safety.

In closing, I do not think Bill C-36 contains provisions that will enhance health and safety. I think it is very important to separate our moral positions regarding a so-called appropriate sexuality from our legislation and the consideration of our human rights.

I would have preferred to see a model mainly based on progressive principles, such as those implemented in New Zealand—a model that discourages the exploitation of young people while encouraging sex workers to practice their trade in a context that enhances their right to safety. Those principles do not force anyone to work in the industry.

● (1325)

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

[*English*]

Thank you for that presentation from PEERS Victoria Resource Society.

Now we're off to Glasgow in the United Kingdom to hear from the Centre to End All Sexual Exploitation.

Ms. Quinn, the floor is yours.

**Ms. Kate Quinn (Executive Director, Centre to End All Sexual Exploitation):** Thank you, Mr. Chair, and honourable members of Parliament and all my sister and fellow panellists.

I also want to thank the technicians who made it possible for many of us to videoconference in to this important democratic process.

Our organization did send a letter to Madame Boivin and Mr. Casey and to Mrs. Smith, as well as a brief, which may have been translated in time. In our letters to the members of Parliament, we included a letter from a woman who was in massage and escort for seven years, a woman who was exploited through street prostitution for 22 years, a mother whose daughter is among the murdered victims in Edmonton, a man who was a former buyer, and a therapist who works to help women in their recovery from complex trauma. So they are with me, even though I am here alone.

Also, I carry the stories of grassroots community action to address the heavy impact of men cruising our communities. I remember the fear of children being harassed as they tried to go to school and being asked if they were working girls. Women standing at bus-stops, just trying to go shopping or whatever they had to do, were being harassed by men.

So I speak from a grassroots experience of people in Edmonton trying to do something about a complex issue. I think it's very important for us to state that we do not see this as a partisan issue. We do see it to be a human rights issue, a social justice issue, and a women's equality issue. Our organization would say that we come from the stance where we do not want to see any vulnerable person of any age or persons in vulnerable circumstances such as poverty or homelessness, or having no other jobs or sources of income, or with mental health or physical challenges. We want to live in a country that creates equality for all, and we do not want to see vulnerable people preyed upon in any way.

I think it's also important to remember that in our history as a country and a colony, the weight of the law and discrimination has been focused primarily on women. What we're seeing here is a shift. This is a shift that we would like to support. We see it as a 30-year generational shift. We won't see the fruits of the shift in this law for a few years, but we do think it's very important to shift the accountability for a harm that is generated to those who create that harm.

In Alberta and in the province of Manitoba, there have been many united actions of community groups, of groups led by women who have lived experience, by political leaders, by crown prosecutors, and by police. We have developed resources over the years that are appropriate and respectful of the persons seeking health care or any part of the continuum of harm reduction.

At the same time, the exploitation does continue, so we feel that it's important to shift the accountability to those who are demanding sexual services and creating that market for that industrialization of children and women.

In our brief, we do say that the criminalization of the activity of buying will have a positive effect, but that the criminalization of those who are providing has a very detrimental effect. We do not support the ability to arrest children, youth, and women who are in places where children might be present. We would like to see that section of this bill totally removed. We've lived too often with the discrimination that others have mentioned, and I can cite how in Edmonton, our capital region, the housing commission will not allow anyone with a criminal record to get subsidized public housing and how people who have a history of solicitation are not welcome in that housing.

● (1330)

Women who want to become social workers at our university cannot apply, because they have a criminal record. Many jobs that women apply for require criminal record checks. Many women just give up, because they do not want to talk about what they've been doing, because of the stigmatization.

In 1995, our organization wrote to the Minister of Justice of the day. We said that as ordinary people, we see that there's a power

imbalance between the person who's cruising and the person who's standing on the corner, and we think we need to create different options. We went to work in our own city and created, with the crown prosecution office and the mayor and the Minister of Justice, the prostitution offender program.

The Minister of Justice of that day said that because the community raised this issue, we will charge the men the equivalent of a fine, about \$500, and we will return that money to the community to help heal the harm. So a multi-stakeholder group, including women who survived exploitation, parents whose daughters were on the street, front-line workers, and all the parties, identified that the priorities are poverty elimination, trauma recovery, bursaries so that people can rebuild their lives, and public awareness and education.

In Alberta we have had a number of public education initiatives, but this education must be continual; it must be in the schools, around consent.

We must send a message. I'd like to see a message in every airport that in Canada we do not tolerate the buying and selling of people, so that men who are newcomers to our country know that in our country you cannot buy sexual services.

We'd like to see age-appropriate education directed at both those who may become vulnerable as well as those who may become perpetrators. Sadly, we're seeing that many young men are perpetrating violence against women, so we know that we need to look at how to educate our young men about what it is to be in a healthy and respectful relationship.

Our recommendations are that we support the direction of Bill C-36. We would like to see section 213 of the Criminal Code removed. We would like to see the investment in creative and positive social media and prevention education.

We would like to see more than \$20 million. I misunderstood; I thought that was \$20 million for one year. I can tell you that the groups working across the country, from PEERS Victoria Resource Society all the way across the country, would know well how to put that money to use to support women, men, and the transgendered wherever they are on the continuum.

We also think that it's important to establish a monitoring and evaluation process. Any law is a blunt instrument. There will be positive intended consequences; there will also be positive unintended consequences.

We had the past laws for almost 30 years. We think that we need to monitor every five years or so that we know what we are accomplishing by trying to set normative values in the law.

We also would like to see an easy mechanism established to wipe away and expunge the criminal records of anyone charged with section 213 in the past—any prostituted woman, male, or transgender—to remove this burden from their shoulders and welcome them into the fullness of our Canadian society.

In Scotland, while they still had some charges around prostitution, they just went away. No one had to apply for a pardon; the charges went away. We can do something; we can be creative: we're calling for this expunging of all the records of the past 30 years.

Those are our primary points. Thank you.

• (1335)

**The Chair:** Thank you very much for your presentation.

Now we go to Boston, Massachusetts via video conference. We're with Defend Dignity, The Christian and Missionary Alliance.

Ms. Gerrard, the floor is yours.

**Ms. Glendyne Gerrard (Director, Defend Dignity, The Christian and Missionary Alliance):** Thank you.

Thank you for the privilege of being able to come before you today, the justice committee, to discuss Bill C-36.

I am the director of Defend Dignity, which is a justice initiative of the Christian and Missionary Alliance churches in Canada. We act as a catalyst for individuals and churches to get involved in ending sexual exploitation in our country.

The first step in ending sexual exploitation is to educate people on what is happening in their city and region, and so to that end we partnered with the Evangelical Fellowship of Canada to hold awareness events in 28 locations from British Columbia to the Maritimes in the last two years.

We've been in large cities and in small cities following the same format in every location. There are presenters from front line local agencies, from local police officers, from survivors, a policy analyst, and a police officer who is part of the Defend Dignity team who addresses the issue of demand. Governmental and non-governmental agencies are invited to network at each event, giving audiences further opportunities to learn about the issue in their region.

A number of the agencies and survivors we have partnered with at these events are witnesses here at these hearings.

These information forums have given Defend Dignity a national perspective and awareness of the scope of the issue, the services that do exist and the services that do not exist in many regions of Canada, as well as with the inconsistency with which police enforce prostitution laws and protect those involved.

As part of the C and MA churches we are seeing a growing number of congregations doing their part by providing service delivery to victims. Dignity House in Winnipeg is a second-stage restoration and healing home for women exiting prostitution that's operated by Kilcona Park Alliance Church in that city. U-r home is an incorporated safe house that's about ready to launch in Newmarket, Ontario, also supported by one of our Alliance churches. Other churches are exploring ways to provide services to victims.

Defend Dignity's mandate stems from our core belief that each person has intrinsic worth and value, and consequently every individual deserves to be treated with dignity no matter their gender, their race, their colour, or their socio-economic status. We do believe that prostitution is inherently violent, that it objectifies, oppresses, and commodifies people. Sadly in Canada, it has become a means to survive for the most disadvantaged and poor among us.

I was in Ottawa just last week and met with Jason Pino who is the founder and director of an organization called Restoring Hope,

which is a weekend teenage shelter in downtown Ottawa. It initially opened just last February 2013 for teenage boys, and within weeks they had teenage girls coming to them saying could we please have a place for shelter because we're being forced to sell ourselves in order to have the basic need of shelter met.

Canada can and must do better for our young people. We need legislation in place that will protect our most vulnerable.

Defend Dignity believes that Bill C-36 has strong elements that will prohibit the exploitation, violence, and abuse that characterizes so much of prostitution. We strongly support the new offence prohibiting the purchase of sexual service in section 286. Research from Chicago Alliance Against Sexual Exploitation, from Eaves in Great Britain, and the outcomes from the Nordic model in Sweden tell us that the greatest deterrents to johns purchasing sex would be criminal charges, fines, jail terms, and having their names publicized. Holding men accountable for their actions will result in societal change, putting a stake in the ground that says it is never acceptable to buy another human being, and that women are not commodities.

In addition to this offence which criminalizes a buyer, and because we believe in the value and dignity of the offender as well as the victim, we do urge the government to consider mandating that each offender participate in prostitution diversion programs. There are only a few cities in Canada that offer john schools, but those that do report that many of the men, upon completion of the program, have a new understanding of the harm done to the women they had purchased, to their families, and to themselves. The john school run by the Salvation Army in Saskatoon reports that there have only been eight reoffenders out of the 699 men who participated in their school that began in 2002. These programs need to be mandated and expanded to cities across Canada so that criminalized men can begin to make behavioural changes. The fines collected from these offences and from the john schools should be put back into exit services for people leaving prostitution.

• (1340)

We also have serious concerns about section 213, and ask that it be removed from the bill. Our concerns lie with the issue that these sections target the most vulnerable in prostitution, street prostitutes, most of whom only sell themselves to survive. They see themselves as having no other option, due to the issues of poverty, homelessness, mental illness, addictions, and coercion. To add the penalty of a conviction and possible fine to someone who is already way down would be adding an unnecessary burden. We do not believe that this reflects the intent of the law as described in the preamble, which we think is wonderful.

In our work with survivors, we hear of how prostitution-related charges have kept them from finishing education and securing good employment. In one such instance, in Ontario, a young woman exited prostitution as a single mom, was furthering her education, and needed a criminal check for a required placement in order to graduate. Upon learning of the prostitution charges, no employer would place her, and consequently she did not graduate from her program. She was revictimized due to her criminal charges.

Defend Dignity also believes that it is unreasonable to state on the one hand that prostitution is inherently exploitative, with most prostitutes facing the risk of violence, and then on the other hand to lay charges against them. Since most prostitutes are victims of violence, no charges should be laid against them. In our work with prostitutes and with survivors, violence seems to be a recurring theme. In no other instance in the Criminal Code are the victims of violence charged. Only the perpetrators of violence should be charged.

In discussion with the office of the justice minister, Defend Dignity has been given the rationale that these offences will be handled at the discretion of the police, and this does cause us some concern. In our interaction with police across Canada, at our 28 events, we discovered that there is inconsistency in how police view prostitution, deal with prostitutes, and enforce criminal offences relating to prostitution. In some locations, police services are already operating under the new paradigm described in the preamble of the bill. They see prostitutes as exploited victims of violence, work to help them, and offer access to exit services.

However, in some locations, police deny prostitution's existence and did not know, until it was pointed out to them, that there were online ads for women for sale in their city. In that same location, youth workers were dealing with underage girls selling themselves for drugs, and yet the police refused to admit that prostitution was occurring. Other police at our events described charging the women and putting them in jail as their method of dealing with prostitutes.

New legislation regarding prostitution necessitates consistent training of police, from coast to coast, on the realities of prostitution and the inherent exploitation and violence involved. It is essential that this training begins as soon as the law is implemented. We just can't stress this enough.

My concerns for having well-trained police also come from a trip to Nunavut, where I listened to the stories of women being sexually exploited by family members. Police in the north need to be made aware of the familial prostitution that occurs and taught how to handle it.

If Bill C-36 is to be successful, then education for all, in the justice system as well, including crown attorneys and judges, must be part of the implementation.

Defend Dignity is appreciative of the \$20 million in new funding that the government has promised for exit services. However, when compared to the \$8 million that Manitoba spends each year on this issue, it simply is not enough. We also encourage the federal government to collaborate with provinces, front-line agencies, and faith communities in much the same way that this is being done with the "National Action Plan to Combat Human Trafficking".

Canada stands on the cusp of creating a better country for countless children, women, and men currently being sexually exploited, and also for those who are at risk of exploitation as the new laws are put in place. Canada will be a better place as this law begins to shape society. It will be a Canadian society where people are not commodities, where men are held accountable for their actions, and where all are safe from predators. Therefore, it is crucial that the new prostitution legislation recognizes the social and

individual harms of prostitution, that it aims to discourage it, and that it works to abolish it.

Defend Dignity supports Bill C-36, and suggests that the following improvements be made to create the best legislation and policy possible:

One, remove section 213 from Bill C-36 so that no prostituted person is charged for communicating for the purpose of offering or providing sexual services.

Two, provide standardized education for police, crown attorneys, and judges that would explain the paradigm shift of how prostitution is viewed as part of the implementation of the new law;

• (1345)

Three, mandate crime diversion prostitution offender programs, also known as john schools, with funds charged going directly to exit services for prostituted people.

Four, increase the amount of new funding for exit services to proportionately match what the Government of Manitoba spends each year on sexual exploitation.

And five, work collaboratively with provinces, faith communities, and front-line agencies to provide off-ramp services for prostituted people.

Thank you so much for giving consideration to these comments.

**The Chair:** Thank you very much for that presentation.

Ms. Giacomini, can you hear us?

**Ms. Marina Giacomini (Executive Director, Servants Anonymous Society of Calgary):** I can hear you. Can you hear me?

**The Chair:** We can hear you. But it's kind of ironic, based on the name of your organization, that we can't see you.

**Voices:** Oh, oh!

**The Chair:** The floor is yours for 10 minutes.

**Ms. Marina Giacomini:** Thank you.

It's unfortunate you can't see me, because I look exceptionally gorgeous today.

I'd like to start by acknowledging the Treaty 7 nations on whose land I'm speaking to you from.

Thank you, Mr. Chair and honourable members of the committee, for this opportunity to contribute to your review of Bill C-36, the protection of communities and exploited persons act.

My name is Marina Giacomini, and I am the executive director of Servants Anonymous Society Calgary. I have been a social worker for over 25 years, with a primary focus on issues related to women and children, including violence, poverty, and homelessness.

I am also a survivor of sexual violence and exploitation, which I experienced beginning at a very young age and until my early twenties, including a year when I was 16 years old and frequented the Downtown Eastside of Vancouver, British Columbia. I have been free from that experience for 25 years now.

I would like to both personally and on behalf of SAS, Servants Anonymous Society Calgary—and, most importantly, the hundreds of women and girls we have served—thank the Canadian government for Bill C-36 and your recognition of the evidence of prostitution as inherently violent and primarily an issue of violence against women. We support the abolishment of prostitution in Canada and urge you to support this bill.

I will offer you the exit perspective today, and start by describing for you SAS Calgary and our experience and expertise.

Servants Anonymous Society Calgary has operated for the past 25 years providing a voluntary, comprehensive service for girls and women age 16 and older, with or without children, who are seeking an exit from prostitution; sexual exploitation, including other sex industry experiences; and healing from the related violence and trauma.

We have service data on over 700 girls and women: 100% have experienced violence; approximately 40% identify as aboriginal; and 75% are 24 years and older, with 90% of them, however, having been introduced into the sex trade as teenagers, predominantly around the age of 14.

We believe we are the most comprehensive service for this population in Canada, and have provided care to women and children from across the country. We work closely with both local law enforcement, including Calgary Police Service's vice and organized crime unit, and for the past many years have provided the mandatory training regarding sensitivity and compassionate law enforcement approaches to prostituted people for all new recruits of the Calgary Police Service. We also work in collaboration with our provincial and federal correctional facilities, with the RCMP, and on occasion with Canada Border Services.

Servants Anonymous Society Calgary provides a SAFE house program, which allows for an immediate exit from prostitution for girls and women. The SAFE program is professionally staffed 24/7; provides access to medical care, detoxification, and addiction services if required; and trauma recovery work also begins here.

The SAFE program is a 30- to 45-day stabilization program. A recent review of our outcome statistics for over 100 women accessing SAFE shows that women staying in the SAFE program for one week experience a 40% increase in successfully exiting to safe and stable environments. Women staying in SAFE for a minimum of two weeks experience a 50% increase in their success, and women remaining a minimum of four weeks in SAFE experience a 90% success rate in exiting to safe and stable environments.

Following SAFE, the SAS program offers transitional supportive housing in five houses located throughout the city, where women live communally with a live-in volunteer or supportive roommate. We offer permanent independent supportive housing. We own a number of fully self-contained apartments with a live-in volunteer unit on site to ensure safety and to provide any additional support the

girls and women may require. In addition, we offer permanent affordable housing in the community through a formal partnership with our local housing authority.

Along with housing, women participate in an extensive daily life skills classroom. Our entire curriculum has been written by alumni and women with lived experience of prostitution and sexual exploitation. All of the women are assigned a key worker or a counsellor who is a professional social worker or addictions counsellor for personal case management and support. We employ a number of alumni who have gone on to complete their education in the social services. We offer an on-site professional child-minding service and a child development, parenting skills, attachment bonding therapy, and in-home support program for women with children.

SAS has a very high rate of children being returned from child welfare or child protective services to their mothers who are in our program, and a very high rate of pregnant women being allowed to keep their children upon delivery. Indeed, the catalyst for many of the women we have met who choose to exit prostitution have come to us because of either an episode of extreme violence, where they directly feared for their life, or the discovery that they were pregnant.

• (1350)

The final phase of the Servants Anonymous Society Calgary program is a six-month employment education support service. We offer follow-care support and outreach for any of our past participants to help them access continuing services in the community or return to SAS if required. We also help them develop résumé, job search, and interview skills; we offer through our social enterprise, on-site and in-community paid work experience programs, and scholarships for continuing education. In fact, a number of our alumnae have gone on to university or other post-secondary education to advance their education and improve their long-term employability. Women who complete the entire SAS program experience an 88% success rate in remaining free of prostitution, sexual exploitation, and are in safe, stable housing for a minimum of two years afterwards.

An independent social return on investment evaluation of our services was commissioned by the Government of Alberta, Ministry of Justice and Solicitor General. It was conducted from 2009 to 2012 and showed that our services result in a social return on investment of \$8.57 for every \$1.00 spent by government. These are reflected as savings to the taxpayer in the decreased costs of homelessness; law enforcement responses; inappropriate use of ambulance, emergency medical services, and hospital stays; incarceration; child welfare interventions; and homicide investigations. Clearly, comprehensive services supporting women to exit prostitution are of great benefit, both to the women and to the community.

SAS Calgary applauds the Government of Canada for recognizing the need for such services and for including financial provisions to support survivors of prostitution to exit and create safer lives. We support Bill C-36 and the focus on the criminalization and fining of pimps, traffickers, and purchasers or “johns”. We have, all too often, seen the long-term effects of violence and trauma associated with the sex trade, and this legislation is a first and necessary step in deterring those who prey on the vulnerable people in our society. We believe this legislation will require some small adjustments; however, for the first time in Canadian history, women exploited by the sex industry are being viewed with dignity, as people worthy of being given support to exit violent and exploitive situations, rather than as public nuisances.

Since Bill C-36 was unveiled, we have been hearing very loudly from the pro-prostitution lobby. We are told that some women choose prostitution as a viable career option, and while this might be true for an extremely small percentage of people, the media has reported extensively on this angle. It is not our intent to debate that point of view today. What we want to ensure is that the voices of experience from survivors of exploitation and prostitution do not get lost in a pro-prostitution debate.

What is vitally important for this committee and for Canadians to remember is that the majority percentage of women and girls are exploited, are forced or coerced into prostitution, and are trapped by violence and threats. Legalization should not be an option. This is not a job.

Evidence shows that there are large numbers of women and girls who would leave prostitution if they had the means to do so. And we know this because we operate one of the most comprehensive exit programs in the country and sometimes we have to turn women, girls, and children away because we don't have the space. In fact, as of this week, we have a waiting list of 14 women, meaning an average of 1 to 2 months before they can get in. Those days could mean the difference between life and death for someone's daughter, their mother, or their sister.

It is also clearly evidenced in the research that focusing the criminalization on sex purchasers and pimps or traffickers helps vulnerable women to exit, and begins to support the public's understanding of prostitution as an issue of gender inequity and violence against women.

We would like to offer one recommendation for an amendment, particularly subsection 213 (1.1) regarding communication offences in relation to the expectation of the presence of children or persons under the age of 18. While SAS supports the legislation's intention to prevent the spread of social norms that treat women as sexual objects and to keep impressionable children somewhat safe from the social harms resulting from prostitution, we believe that prostitutes themselves must be held immune to this provision, understanding that they themselves are victims. We recommend that the bill be amended here to reflect this.

We would suggest that the rigorous enforcement of Bill C-36 and heavy fines and punishments put in place to target johns who attempt to purchase or procure a prostitute will offer a strong deterrent in such locations and support the objectives of Bill C-36's preamble, without criminalizing prostitutes themselves.

● (1355)

We believe this will fortify the legislation against further legal or human rights challenges. It is not a human right to have sex, or to have access to someone else's body for such, but we do each have the right to safety and protection. We know that this will support more vulnerable people in asking for help from police and in seeking to exit from prostitution.

Our experience, from having helped hundreds of women and girls, is that whether a woman was forced or coerced into prostitution as a young girl, or whether she made a decision based on very limited or unreasonable options, violence and trauma are always present factors. And once in prostitution, many girls and women become trapped. As one woman from our program explains, "The only way out of being pimped is either death or being sick with HIV, because if you are HIV positive the bikers, [as well as gangs, and violent “johns”] will kill you themselves". Violence, is violence, is violence. There is no difference inside or outside.

For those who would objectify women and commodify their bodies, Bill C-36 sets out real deterrents. The additions to the Criminal Code will give law enforcement and prosecutors the tools they need to protect women and combat organized crime. We should all take pride in this made-in-Canada solution.

Merci.

● (1400)

**The Chair:** Thank you very much, thank you for your presentation.

Now we go to the questions and answers round. Just for committee members, since Ms. Giacomini can't see you, could you make sure that if you ask her a question you identify who you are and which party you're from, just so she knows in advance.

The first round is with the New Democratic Party, and it's Madame Boivin.

[*Translation*]

**Ms. Françoise Boivin (Gatineau, NDP):** Thank you, Mr. Chair.

I want to thank all of you for joining us today. You are the second-last group of witnesses on Bill C-36. The Standing Committee on Justice and Human Rights is clearly tasked with studying this bill. The committee's approach is often of a very legal nature, and that obviously may appear to be out of touch with your respective realities.

As a lawyer, I have represented shelters for abused women. I can tell you that the situation is not clear-cut, and the shelters don't always have an easy job to do. So we raise our hat high to all those who work in settings where women are exploited, abused and treated with a blatant lack of respect. Many of us work day and night to fight this scourge. We do have a legal job to do here, and so I will focus on that.

We understand the work you have to do. I am somewhat biased in favour of CALACS. I admire the work you do. I may be a bit more familiar with those organizations than other groups here today. I want to thank those groups again for sharing their experiences with us. I also want to thank people from outside Canada. I appreciate other countries' experience, as that can help broaden our horizons. However, our legislative framework may sometimes differ from that of another country. That is the legislative framework we have to work within.

The Outaouais CALACS sent me its brief, which is similar to what you said, Ms. Sarroino.

Can you tell us a bit more about the work you do on a daily basis to fight against sexual assaults? We can see that sexual abuse is often related to conjugal violence. You have unfortunately identified too many cases.

Can you give us an overview of the work you do in your community? Can you explain to us in more depth why section 213 is so harmful if we start from the premise that women are victims of prostitution? In my opinion, this provision is almost a dismissal of the bill. We cannot say one thing while doing the opposite.

Can you tell us more about the nature of the work your group does in various regions? Can you also tell us what the problem is with this bill?

Some people feel this a way to hide. I think section 213 is the source of the problem in this bill. The same goes for the \$20 million. I would like to hear a bit more from you on this.

**Ms. Mélanie Sarroino:** Thank you, Ms. Boivin.

As I said earlier, certain Quebec CALACS are not members of the group but do the same kind of work. I think there is a total of 35 CALACS in Quebec, and 26 of them are members of our group. Their work is split into three main areas of intervention. The first is direct assistance, in which case the organizations meet with women who have been sexually abused and provide them with feminist support. This approach basically consists in helping women take charge of their life, so that they can put what they experienced behind them.

I would also like to point out that most of the women who consult us do so for abuse that happened, on average, 13 years prior. We know that it takes them a very long time to work up the courage to report what happened and talk about the abuse they were subjected to.

**Ms. Françoise Boivin:** Are you talking about situations involving prostitution or conjugal violence?

**Ms. Mélanie Sarroino:** Neither. There is a lot of incest.

With child luring, we are seeing more and more young victims of assault, as well as more and more women who are assaulted after meeting someone on the Internet.

There are some cases related to conjugal violence. There are also some related to prostitution, depending on the region of Quebec.

Our second aspect, which is very important, is prevention and awareness raising. As I mentioned, we reach out to 25,000 to 28,000 high school students a year. I am not sure what the situation in Canada is, but we know that, in Quebec, sexual education courses are no longer available in school, and this really hurts today's young people. We are trying to deal with this lack of sexual education, mainly when it comes to abuse, romantic relationships, and respect or consent in relationships. Those are the topics we address as part of prevention and awareness raising.

We are also involved in advocacy, which is basically what I am doing right now. We talk a lot about all the issues related to sexual violence against women. Our group believes that prostitution is the ultimate act of sexual violence against women. So those are the main ways in which CALACS are involved.

I am very happy to hear about section 213. I have been listening to testimony for days. Regardless of whether we are in favour of sex workers, and whether or not we are religious, both sides agree that this section should be removed from the bill.

The provision is inconsistent with the bill's preamble and its objective, which is to completely decriminalize women because, as we believe, they are victims of their own exploitation. That's very clear. So consistency is lacking. We agree in saying that this will criminalize the most vulnerable women—those who are struggling with substance abuse and who are, disproportionately so, aboriginal women in several regions of Canada.

It is important to be very careful not to further victimize those women, who are already very vulnerable.

● (1405)

**Ms. Françoise Boivin:** And its corollary is the \$20 million.

**Ms. Mélanie Sarroino:** Exactly.

I could not mention this earlier, since I was told I did not have much time left.

The \$20 million is clearly insufficient to provide assistance, especially over a 5-year period. It would be dangerous to implement legislation that aims to eliminate the demand and prostitution without providing services, expunging criminal records, tackling the issues that are the root cause of women becoming prostitutes. We have to fight poverty, racism and discrimination. We need a comprehensive and holistic approach that addresses all those aspects.

**Ms. Françoise Boivin:** You will understand my concern when I say that failing to do so will result in our having to start all over again. We will once more be told that we are putting people's lives in danger. I am a little concerned by that.

**Ms. Mélanie Sarroino:** We do not agree.

Our point of view has to do with safety in the event of decriminalization. The New Zealand model is constantly being brought up, but New Zealand is on the other side of the globe and an island. We live in a nation that has the biggest shared border with another country.

What will happen if prostitution is decriminalized in Canada? Who will come here to buy the services of our women? The demand will skyrocket. That will result in a higher offer, and more women will end up in unsafe situations and become victims of violence, as everyone agrees that prostitution is a dangerous profession.

**Ms. Françoise Boivin:** I would also say that we have to be careful about ready-made models imported from elsewhere, such as the New Zealand model. Despite what people may think, it is one thing to decide to implement labour legislation, but another to determine how to do it.

We are working in a federal system, and we have to deal with federal, provincial and territorial jurisdictions. The path forward has not yet been well-defined. As you rightfully pointed out, we have to address the root cause of the problem before trying to deal with issues further down the line. That would not resolve anything.

**Ms. Mélanie Sarroino:** The legislation is a good step forward, and we support it.

**Ms. Françoise Boivin:** Do you support it only on the condition that the two amendments you mentioned be made?

**Ms. Mélanie Sarroino:** Absolutely.

[English]

**The Chair:** Thank you very much for those questions and answers.

Our next questioner is Mrs. Smith from the Conservative Party.

**Mrs. Joy Smith (Kildonan—St. Paul, CPC):** Thank you so much.

Hello, Kate, how are you? I didn't know you were going to be in Glasgow. My goodness, I'm so glad you are there and thank you for joining us. Thank you to all of the panellists for joining us.

I'm going to be asking questions of three or four different people as quickly as I can, as the time is very short.

Kate, we've been working in Edmonton for a long time and you're talking about provincial and municipal monitoring and evaluation. You are very supportive of Bill C-36. You've come across with some recommendations.

One thing you talked about is to evaluate how things are going after the bill, hopefully, is passed. Can you expand on that further?

**Ms. Kate Quinn:** Yes. Thank you very much, Mrs. Smith.

Again, in our experience, we start with a vision and then have to implement it.

Bill C-36 sets out a path. Yet we know, because of all the complexities we've heard about, that some things will go awry here or there.

Our community group observed, in 1995, that section 213 was not working and that it was criminalizing the party without power. No

changes were possible until recently when Bill C-36 was brought forward.

We really think that it's important that we review every five years.

I'm going to give one specific example from our provincial legislation; the vehicle seizure legislation. When it was created it was written with the best knowledge at the time.

● (1410)

**Mrs. Joy Smith:** Kate, I don't think we have time to go through all that.

**Ms. Kate Quinn:** I was just going to say that the men figured out that the law had a problem, because it said only that if the man were in the car could the vehicle be seized. So men started parking their cars four blocks away.

We will always need to be attentive to how the industry will try to manipulate the situation.

**Mrs. Joy Smith:** Adjust themselves.

**Ms. Kate Quinn:** Yes.

**Mrs. Joy Smith:** You're saying this evaluation is an extremely good point.

It's so nice to see you again.

Glendyne, it's wonderful that you're there and to see all the great work that you're doing.

You talked about our needing to protect the most vulnerable. You talked about the preamble.

I'm so proud of that preamble. For the first time, it's recognizing victims and the kinds of deplorable situations they're in. I love defending dignity because it's such a good way to describe...

Could you talk a little bit more about how important the preamble is and how it's changing, or will change, the paradigm here in Canada?

**Ms. Glendyne Gerrard:** Yes, absolutely. I think the preamble really gave me clarity as to know where the government was heading with this bill.

When it talks about recognizing that prostitution is inherently violent, it talks about the need to curtail demand. These are all key parts in the bill. It references the inherent value and dignity of every person.

This is quite a shift from where our constitutional legislation was when it treated the whole issue as an issue of nuisance to a community. We've made this huge shift to now recognizing that it is violence against women, mostly women.

I can't speak well enough of the preamble and how it sets the tone for the rest of the bill.

**Mrs. Joy Smith:** That's really a first in Canada.

Marina, you are beautiful. Servants Anonymous is an amazing organization. Thank you for all that you're doing to give care to women and children. It's so good to hear your voice again.

Marina, you talked about comprehensive services and the fact that Bill C-36 is a very necessary first step and a first in Canada. You talked about the fact that we should be proud that Canadians and members of Parliament are doing something concrete now: first, targeting the johns and the pimps and making sure they are held accountable for the violence against women and children; and second, the acknowledgement of the plight of the victims, what it's really like. It's not Canada's oldest profession; it's Canada's oldest profession.

Marina, could you talk a little bit about at least three of the services, which I know you do so well at Servants Anonymous, that could be part of this \$20 million? Talk a little bit, as Diane Redsky did yesterday, about the partnerships. The federal government can't do it all. There has to be partnerships between the province, municipality, and federal government. Could you address some of these issues, Marina?

**Ms. Marina Giacomini:** Sure. Thanks for your question, Ms. Smith.

I would say that three of the key services that probably need to be offered are the opportunity for immediate exit, long-term sustainable housing, and life-skills programs. When I say life skills, I'm not talking about general life skills. All of our life-skills curricula have been written by women who worked as prostitutes or were involved in sexual exploitation, so when we're talking about budgeting, we're actually looking at it. First, we have a conversation about what is our actual relationship with money. We come at it from a very psycho-educational perspective, and then a skills-based perspective next. So the life skills are extremely important, relationships with others.

It's particularly important for women who are going to go back to school or find a job sometimes have struggled with their relationships. Interestingly, we find in particular that they can struggle with their relationships with other women, mostly because for the majority of their lives, they've been groomed and trained in how to relate very well with men and have not had as much opportunity to relate well to other women. So we really pride ourselves on establishing a sisterhood sort of model, a mutual model, where everything we do is based on mutuality. We don't believe for a second that we are experts in anybody else's lives. They are the experts in their lives, and they tell us what services they need to help heal or to move on, or whatever next step in their life they want to take.

Thirdly, I would say it's extremely important for there to be opportunities for advanced education or employment training for women so they do have alternatives. We know that poverty is a huge underlying contributing factor to prostitution and exploitation. When we can equip women with the skills and the financial resources to do something about that, they become extremely successful and get to actually follow paths and achieve goals that they really have.

We do have our partnership with the police services. We receive funding from various levels of government, from a lot of private donors. Our provincial government helps us out a little bit with some money through civil forfeiture, which is related to crime prevention. That is an opportunity, I think, to leverage the federal dollars as well. Also, our partnership with the municipal government, the City of Calgary, provides us with some opportunity to provide the

attachment bonding at work with moms and their children, if they've been separated for a long time. When their children are returned to them, that can create all sorts of new issues and challenges, so our municipal government helps us out that way. We've developed excellent relationships, really, with all of the political parties in Alberta because we're non-partisan, obviously.

So, yes, I think there are a lot of opportunities with this bill, and that's why I love Canada. I'm such a proud Canadian, and I love how innovative Canadians have been around issues like homelessness. Now in Calgary we're looking at ending poverty. As a country, we're talking about prostitution and what works best for women. I really mean it when I say that we need to be proud of this bill and that we can make a real difference for Canadian girls and women.

• (1415)

**The Chair:** Thank you very much for those questions and answers.

Our next questioner is Mr. Casey from the Liberal Party.

**Mr. Sean Casey (Charlottetown, Lib.):** Thank you, Mr. Chair.

Ms. Phillips, we've heard from a couple of lawyers who have expressed some concern over the reverse-onus provisions. You describe it in your brief as an assumption of guilt in regard to persons who live with or are habitually in the company of persons. I know you talked about that in your opening statement. I get the sense, however, that your concern over this provision is more from a policy perspective than from a legal and constitutional one. So tell me whether or not that is the case, and feel free to expand on why you find this offensive outside of the legal constitutional context.

**Dr. Rachel Phillips:** I'm not a legal expert by any means. I just think when you put people in a position where they have to prove themselves, there's the possibility for discrimination. For example, we mentioned in our brief that people who live on the street are in relationships. They often will help each other in the context of the sex industry and spotting. It's not clear to us that those relationships, which are intimate relationships, which can be supportive relationships, would be recognized in the exceptions that exist there. Similarly, for people who are both substance users and are in the kinds of relations that emerge around substance use, particularly in street-based, substance-abuse environments, it's not clear they would fall within those exceptions as well, or that they might be viewed differently because of social, economic kinds of discrimination.

• (1420)

**Mr. Sean Casey:** Okay, thank you.

Ms. Quinn, we're almost at the end of our list of 60 witnesses. It's a little bit hard to imagine that someone would come forward this late in the day with an idea that we've heard the first time, but you have. Thank you, and congratulations for that.

Your suggestion that we go back a couple of decades and expunge the criminal records of anyone who's been charged with solicitation is, frankly, very refreshing and brand new to us. You're the first one who's raised it.

What you may not know is that there's no longer any such thing as a pardon in this country. They're now called record suspensions. Recently, they've become much more difficult to get. The fee has quadrupled. The waiting time has been extended. The people for whom it is available has gotten smaller.

But given that this is the first time that we've heard about this, I'd like to do two things. I would invite you to make any further comments you have with respect to that specific idea, and then hopefully we'll have time to go around the table to all of the other witnesses to see whether they also like this idea that's been presented for the first time.

Thank you.

**Ms. Kate Quinn:** Thank you very, very much, Mr. Casey.

Actually, we did raise this two years ago when the bill was being debated. I was one of 16 witnesses to the independent committee. We provided documentation about the harmful effects of criminal records. Unfortunately, I think that got tabled.

So we thought it was important to raise it again in our brief to the standing committee to be true to the women, men, and transgendered persons whom we have seen burdened by criminal records.

Again, we've done a little bit of research. I mentioned that in Scotland, it just goes away. There's no process. I think we have made our pardon—well, I know now it's not even a pardon. I think that we've made it very onerous, very expensive, and we still continue to punish people.

We would like to see a whole different approach, again with the intent of this bill, to recognize the vulnerabilities that come from exploitation. We would like to see us go one step further and just expunge those records. They're doing that in the United States. There have been several successful cases.

We actually have run a court diversion program in Edmonton since 2002. The crown has enabled us to invite women to work on their own diversion plan—what they saw as the root causes for why they were being exploited—because many women were being charged under section 213. We then presented that to the crown. The crown would then approve the plan. Then it was our role to walk with women and support them as they accomplished their plan.

We've had very creative crown prosecutors roll up eight charges—including those under section 213, failure to appear, breach of warrants—and wipe those records clean. This was before they became entrenched. But the challenge is that there are many people who have not yet come forward because of the cost of this record suspension, and so they still carry the weight of the criminal record that may date back to the 1990s.

We'd be very happy to send you all of the work we have done and the research that we did prepare for that earlier committee. I think we would do a great thing for people, a great breath of hope, if we would say, "Come in out of the cold, from the discrimination you

have experienced, and have that chance for an education, get that public housing you need, go to school if you want to become a social worker, you are part of our community."

So I thank you so much for raising that question.

**Mr. Sean Casey:** Yes, please.

To all of other witnesses, I'd be most interested in your view on the idea put forward by Ms. Quinn of essentially an amnesty for old or existing solicitation charges.

**Dr. Rachel Phillips:** I agree.

**Ms. Lisa Steacy:** I 100% agree. I think it's a fantastic idea, especially in light of the fact that inequality and discrimination really play a part in who ends up with a criminal record. I think it's completely consistent with our equality-based arguments that this would be the case.

• (1425)

**Mr. Sean Casey:** Thank you.

**The Chair:** Ms. Gerrard, do you have a comment?

Madame Potvin, do you?

[*Translation*]

**Ms. Natasha Potvin:** I am definitely in favour of decriminalization.

I think that's really a good start. A criminal record can close many doors. I did this job of my own free will, but if I had a criminal record, I may have had problems with my other jobs.

**Mr. Sean Casey:** Do you currently have a criminal record?

**Ms. Natasha Potvin:** I did have one, but it was expunged because it involved a miscarriage of justice. Having that record was very limiting for me.

**Mr. Sean Casey:** Thank you.

[*English*]

**The Chair:** Ms. Gerrard, do you want to...?

Is your mike on, Ms. Gerrard?

There you go; we hear you now.

**Ms. Glendyne Gerrard:** Hi, there.

I heartily agree. There will be a reference to the woman in southern Ontario whom I spoke of in my presentation.

She told me that she just about lost hope when she was denied access to the program. She was almost finished and had to do her placement to finish and could not get her criminal record dealt with. The only recourse she had was to wait and try to earn enough money. She told me that the figure was, I think, \$1,000 that it was going to cost her. She put every penny she had into schooling. When I last spoke with her, in March this year, she was still waiting, trying to earn the money she would need to deal with this criminal charge.

So I heartily agree. I think we need to expunge all those former records. That would make a very clear statement that the legislation means what it says when it recognizes that women are truly exploited and that this has been a detriment to their getting successfully out of prostitution.

**The Chair:** Finally, Ms. Giacomini, do you have any comment?

**Ms. Marina Giacomini:** Yes. It's a great idea; we support it 100%. We've had pretty good success with our employment programs, with women working with people in the community who give them jobs and are willing to not be as concerned about a criminal record. However, some of the women we have seen who would like to enter different professions can't do so without having a clean criminal record. So we applaud this; we think it's a great idea.

You've done a good job, Kate.

**The Chair:** Thank you very much. Thank you for those questions and answers.

Our next questioner, from the Conservative Party, is Ms. Ambler.

**Mrs. Stella Ambler (Mississauga South, CPC):** Thank you, Mr. Chair.

Thank you to all of our witnesses for being here today. We very much appreciate your time and efforts. Thank you also for the work that you do in your communities and in your cities, working with women who are prostituted.

My first question is for PEERS Victoria Resource Society; it has to do with screening. You talked about this, and we've been talking about it this week in our meetings. You mentioned that sex workers need to be able to freely communicate in order to establish security. But we have heard from other witnesses, even just on this panel, that screening is really a misnomer and that it doesn't matter how much screening you do.

Yesterday we heard from a woman who was trafficked who said that she thought the guy she was in a car with was safe and fine, until he pulled the crowbar out from under the seat, and then she didn't remember anything for the next two days about that.

I'm wondering how to reconcile all of this, everything from using the terms "prostituted women" to "sex workers", and you called it "escorting". Is this really possible? Is it really possible, and are you just a member of a small group of women who are lucky enough to practise in a relatively safer environment?

**Dr. Rachel Phillips:** There are three questions there.

I use multiple terms. Multiple terms are used within the sex industry—it's part of its diversity—so I will flip back and forth between those terms. I don't think the sex industry is homogenous and that I can use one term to describe all of it.

I don't think screening has to be 100% effective to be a tool that sex workers value and saves them some of the time. I don't think that should be the condition on which we evaluate screening.

As for our being a small group, I don't know. Various claims have been made about the "vast majority" left, right, and centre over the past week. I think we belong to a sizeable group and a group that deserves a voice as well.

• (1430)

**Mrs. Stella Ambler:** I appreciate that. I'm not sure that we know what the numbers are—I don't think anyone knows, because of the nature of the business—but you also talked about human rights, except that you talked about it in the context of sex workers, the violation of their human rights. As did Natasha Potvin, you

mentioned that you liked some of your clients, and liked some of them less, but that overall you're proud of your choice and that it's worked for you in your life.

The way you tell it, frankly, it sounds like a TV sitcom about happy hookers. I just can't reconcile this with the other things I've heard. I'm wondering if this bill were enacted, would it put you out of business?

[Translation]

**Ms. Natasha Potvin:** I think that would have prevented me from working in safety. I would have been more afraid, since my clients could be criminalized. That's very important. Assessing clients is very important.

Among sex workers, we send one another messages and warnings to be careful. A list of problematic clients is provided by certain organizations managed by and for the community. If this legislation is passed, my clients will be criminalized, and the good ones may stay away.

The bad clients are the ones who may not fear justice or police. Like in any other job, there are good and bad clients. We like some clients a lot and others a bit less. However, criminalizing clients—who could be a colleague, a brother or a sister of yours—will definitely put off someone who has a family life and fears losing their job.

We shouldn't forget that about 10% of my clientele was made up of women. I had women clients. What is to be done with them? It is said that clients are bad people, men who persecute, but there are also female clients. No one talks about that. Should they also be considered as perverts? What are we to do with that problem?

I think the way this legislation criminalizes clients will not fix anything. It will simply shift the issue and bring back the witch hunts that were being carried out before.

[English]

**Mrs. Stella Ambler:** I'm not sure, though. I'm going to disagree with one of your statements that it's like any other job and some clients are good and some are bad. I can tell you that I have lots of meetings in this job and I know people who work for other types of companies, and they may like some clients and dislike others, but they're not afraid that any of them are going to hit them with crowbars, or chain them to a bed for a week and starve them or torture them.

I think that kind of violence is much more inherent in the business that you're in than any other, that I'm aware of.

[Translation]

**Ms. Natasha Potvin:** I would like to add something to this.

When I was 18 years old, I had a friend who worked in a corner store and was murdered. There are risks everywhere.

It's true that the risk is very high in sex trade. That's why we need organizations managed by and for the community, and the issue needs to be decriminalized and regulated. Minors also need to be protected. However, job-related risks are everywhere.

It's true that the risk is higher in our field. However, as I was saying, I lost a friend who was working in a corner store. She was attacked with a firearm.

[*English*]

**Mrs. Stella Ambler:** And so when you hear the other stories here that we've heard this week, do you tell yourself those are rare and it's just as likely that the guy at the corner store's going to be murdered than someone who's a prostitute? How do you suggest that we as a government protect women who are not in this life by choice?

• (1435)

[*Translation*]

**Ms. Natasha Potvin:** I think that assistance for individuals has to be enhanced. The \$20-million amount is not enough to help all the provinces.

We already have legislation on human trafficking and minors. I think that assistance for organizations needs to be enhanced, whether we are talking about organizations managed by and for the community or CALACS.

Those individuals not only have to be given an opportunity to continue developing, but criminals—the real abusers—have to be brought to justice. Individuals have to be provided with monitoring throughout their development. If that individual was a victim of abuse, they need support and assistance in their fight.

[*English*]

**The Chair:** Thank you very much for those questions and answers. That is your time, Mrs. Ambler.

Now we are on to the New Democratic Party with Madam Péclet.

[*Translation*]

**Ms. Ève Péclet (La Pointe-de-l'Île, NDP):** Thank you very much, Mr. Chair.

Once again, I want to thank all the witnesses who have come to share their knowledge and opinions with us today. I think this is extremely important because we need you.

To continue in the same vein as my colleague, I would like to say that many jobs are dangerous. For instance, police officers and firefighters also risk their lives on a daily basis.

The Supreme Court was clear: prostitutes also have to be protected. I think we all agree when it comes to this.

[*English*]

I think it's interesting, Mrs. Phillips, because in your presentation you said that in nine years—with the local police in Victoria probably—they haven't charged anybody for human trafficking.

**Dr. Rachel Phillips:** I don't think I put a specific time frame to it. I asked my liaison just before we left—we didn't have a lot of notice—and they felt there had been one charge about seven years ago that had sort of fallen apart.

**Ms. Ève Péclet:** Okay.

**Dr. Rachel Phillips:** Essentially, no, there have not been charges.

**Ms. Ève Péclet:** So essentially in a couple of years there has been one charge?

**Dr. Rachel Phillips:** Certainly not in the last seven years....

• (1440)

**Ms. Ève Péclet:** In this debate we haven't clearly put a definition on the different terms, but I think it's important that we can differentiate in a debate. If I read the Criminal Code I think it's clear that trafficking in persons is defined as the following:

Every person who recruits, transports, transfers, receives, holds, conceals or harbours a person, or exercises control, direction or influence over the movements of a person, for the purpose of exploiting them or facilitating their exploitation is guilty of an indictable offence and liable

(a) to imprisonment for life if they kidnap, commit an aggravated assault or aggravated sexual assault....

So this is the definition of trafficking. There is also exploitation which is defined as this:

...a person exploits another person if they cause them to provide, or offer to provide, labour or a service by engaging in conduct that, in all the circumstances, could reasonably be expected to cause the other person to believe that their safety or the safety of a person known to them would be threatened if they failed to provide, or offer to provide, the labour or service.

I was just trying to note that if we define the term “trafficking” as it is defined in the Criminal Code and as exploitation is defined in the Criminal Code and prostitution...I was just wondering why there have been no charges for seven years with the existing laws. What will Bill C-36 bring to help those victims of trafficking and exploitation as it is defined in the Criminal Code?

**Dr. Rachel Phillips:** I can't really answer on behalf of the police on how they do their investigations, of course. I presume they are very attentive to complaints brought forward. It's not that they're ignoring the issue; they obviously haven't found the issue. So I trust that the laws against trafficking, were it to occur in our region, would be sufficient for pursuing criminal charges. I don't really see, necessarily, how Bill C-36 is clearly related to the issue of trafficking. I think it's a bit of a mess in terms of grabbing people who may not be at all trafficked.

I don't know if that was the question.

**Ms. Ève Péclet:** There is a difference between prostitution and the terms I have defined here in the Criminal Code.

**Dr. Rachel Phillips:** Yes.

**Ms. Ève Péclet:** So you would agree.

We're talking about resources. Ms. Ambler asked you a question about what we can do to help victims of those offences. I think we are all clear that inequality at its root is the cause of the vulnerability of women. I would just like to ask you, and maybe Ms. Potvin, to elaborate on your points where inequality needs to be targeted at its source so that maybe we can prevent people from being forced into prostitution and help those and protect those who want to stay in this industry so that both can co-exist.

**Dr. Rachel Phillips:** I would like to emphasize that we are not at all indifferent to people being victimized, in the context of the sex industry or people coming to us and saying they would like help with getting out of the sex industry.

One of the barriers we face in terms of a broad kind of social issue with regard to helping people is income assistance rates in our region, and the availability of affordable housing. Those are definitely things we should be focusing on in terms of the reduction of women entering the sex industry because they feel they need to for economic means. That's the reason that they're there, and I don't necessarily think that's the best reason to be somewhere. People should have options about how they earn money.

With regard to the Criminal Code, I think your second question related to what we can do to support women who have been victimized. Some of the trafficking laws, some of the laws that prevent sexual exploitation of minors, are good. Definitely in our region, it's been very positive to try to think of ways, through partnership and bridge-building between police, peers, and sex workers.... We're increasing reports of physical and sexual assault. Those are important laws for people in the sex industry, and it's very important that people report based on those laws. We have had underreporting.

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

Madame Potvin, do you want to add anything to that?

[*Translation*]

**Ms. Natasha Potvin:** You asked the question in English, but I would just like to add that, when it comes to education and prevention, a sex worker has to build their character. I am personally a big believer in peer education. I am currently working at AIDS Vancouver Island with people who have substance abuse issues. We are involved in what we call "street college", which is a form of education provided by peers. I think that helps get the message across.

In schools, I have also delivered workshops on stigmatization, sex work and the understanding of the distinction between having and not having a choice.

I think this approach works. Peer education is very important. It makes it easier to establish a relationship with a young person who wants to go into sex work and explain to them what the consequences, risks and stigma involved are. If she then chooses to become a prostitute, she will at least know what the risks are, while also knowing that she can count on peers.

[*English*]

**The Chair:** Thank you for those questions and answers.

Before we go to Mr. Dechert from the Conservative Party—and I'm not taking away from his time here—since the issue has been brought up, I do think, just for proper debate, that we put on the record that Public Safety Canada was asked that exact question.

As of October 2013, the Royal Canadian Mounted Police human trafficking national coordination centre is aware of 161 cases, since 2004, of human trafficking where specific charges were laid.

Of those, 152 were domestic human trafficking cases, and nine were international trafficking cases. The majority of the domestic human trafficking cases were sexual exploitation, whereas international human trafficking cases were primarily for forced labour.

Of the 161 trafficking cases, 47 have been completed through the courts, with human trafficking-specific or related convictions. Of the 47 cases that were involved—concerning some 124 victims—54 accused received convictions. Additionally, 20 of the 161 trafficking cases had other outcomes. Currently, there are 94—this was as of January 2014—out of 161 human trafficking cases remaining before the court, involving 144 accused and 172 victims.

Just so that everyone has the accurate information, that was from the analysts.

● (1445)

**Ms. Françoise Boivin:** Oh, I thought you were testifying. I was ready to question you.

I'm just kidding. But kidding aside, can we have a copy of this, please?

**The Chair:** Yes. We'll make sure that is distributed to everyone.

It is now the Conservatives' turn.

Mr. Dechert.

**Mr. Bob Dechert (Mississauga—Erindale, CPC):** Thank you, Mr. Chair.

Just on that point, before I get to my other questions, some of the largest human trafficking cases in Canada have happened in the Toronto area, both in my area in west Toronto and in Hamilton—the international trafficking of human beings, in a number of cases, for the sex trade industry. So it may not happen everywhere in Canada. There are different experiences in different places, and I think that in areas where you have a large number of new Canadians, where there's a lot of international traffic, that's where you're likely to see that sort of thing. I suspect that the witnesses whom we had before us earlier today talking about Asian women trapped in the industry would probably say that a fair number of Asian women come into Canada as trafficked victims into the sex industry.

I just want to say to each of you that I very much appreciate your being here, bringing all your expertise and experience here, and I say the same thing to all of the witnesses who have appeared before us in every session this week. It's clearly high time that we had a national conversation about this issue. Sometimes things come before Parliament for convoluted reasons and in ways that we can't predict, but three people brought a case before the courts many years ago. It eventually reached the Supreme Court, as we all know, and the Supreme Court rendered a decision, penned by the Chief Justice, and here we all are today discussing this very important thing.

So whether we would have chosen to or not, it's a good thing that we're having this discussion, and whatever we decide, I think the situation going forward in Canada will be better. Chief Justice McLachlin said to the Parliament of Canada, to the 10 members of Parliament you see before you today, and to the other 300-odd who aren't here with us but are watching very closely, and to the members of the Senate, that the regulation of prostitution is a complex and delicate matter. I think from everything you said and everything we've heard that it's clear that's true.

It will be for Parliament, should it choose to do so, to devise a new approach. So we have before us one option. We can choose to go with the option that's before us as drafted. We can choose to make some changes to it. We could choose to do nothing at all, as two of the litigants who brought this case before us asked to do. Yesterday we heard from Ms. Scott and Ms. Lebovitch, and they would like us to do nothing at all, to let the laws that were struck down by the Supreme Court but are to be held in abeyance for the year expiring in December, and to have wide-open, unregulated, unfettered, legalized prostitution in Canada—anytime, anywhere, at the discretion of the purchasers and the sellers.

What do each of you think we should do? Should we choose to do something? Or should we choose to do nothing? Should we choose to criminalize the purchase of sex or not? And if we don't do anything, what do you think will be the state of affairs the next day in Canada and over the next 10 years? Where will we see ourselves in 10 years? We heard earlier in the week from experts on the situation in Europe, and they've told us that in Germany today, where they have wide-open, legalized prostitution, that there are over 400,000 sex workers and that there has been a significant increase in human trafficking, largely into Germany from Eastern Europe, but also from other countries. Conversely, we've heard that in Sweden—this from one of the key drafters of the Swedish model, which is part of what we're looking at today—that the experience has been different there. In Sweden there is less violence, fewer sex workers, less purchasing of sex, and there's less human trafficking.

So, given all of that, I'd like to hear from you on what you think we should do? Should we choose to do something or should we choose to turn our eyes the other way and do nothing at all?

Let's start with you, Ms. Steacy.

•(1450)

**Ms. Lisa Steacy:** Obviously, in my written submission and my oral submission, I think we do have to do something. I think it's important not only for the women who are in prostitution either by choice or by force, but also for all women, that we do something about prostitution.

We know, as my colleague and I were talking about earlier, that while not every single woman is raped, the fact that men rape women puts all women in a state of fear and danger, and I feel the same way about prostitution. I think right now we're talking about criminal law. That's the bill we have, a criminal law response to prostitution, and I think that as far as criminal law goes, I'll just reiterate my submission that with the striking of the provision that would criminalize women in some locations, I think that Bill C-36 is a fairly good start.

[Translation]

**Ms. Mélanie Sarroino:** I will not repeat what my colleague talked about, but I would simply say that I dream of a world where my daughter and I will be able to walk the streets without being seen as sexual objects by all men. I am not saying that all men are like that.

Yet I don't know how many times I have gone to a nightclub and was touched by a man without my permission. I don't know how many times I have been followed in the streets by a man who may have harmed me, and I managed to get away. I think something needs to be done. We have to stop saying that women can basically be bought.

I want to tell my colleague, for whom I have a tremendous amount of respect, that we do not judge women who are struggling with sex industry issues or have chosen to work in that industry. We speak on behalf of all women.

I simply hope that my daughter will grow up to be seen as a whole individual and that my son will see women and girls as whole individuals. So I think something has to be done about this.

[English]

**Mr. Bob Dechert:** Okay.

Let me ask you the second question. If we don't do anything, what do you think Canada will look like in terms of the prostitution business in 10 years?

**Ms. Mélanie Sarroino:** I think we'll be North America's brothel. I think it will like the Grand Prix in Montreal, or the Stampede. All the Americans will come. They come to Quebec for alcohol; why wouldn't they come for women?

I think it's a very dangerous step to take.

**Mr. Bob Dechert:** It's a good point you raise. We live right next door to the wealthiest country in the world, one of the largest countries in the world, certainly much larger than ours. Something like 80% or more of the Canadian population lives within 200 kilometres of the U.S. border.

I recently visited Montreal, and I saw there a museum exhibit at the Montreal city museum on the days during prohibition in the United States. Montreal had clubs that served alcohol. There was a large degree of gambling, and there was also a large degree of prostitution. People could go there....

I think this exhibit is still running today. They have a model of a speakeasy that you can see. They have a room that's designed to look like a room in a brothel. The time is the 1930s, I believe. They have a room in a police station. They tell the story of how Montreal was traumatized by this experience. Tens of thousands of Americans would come every weekend to drink, to gamble, and to use the brothels. The people of Montreal fought back against that. There were politicians and there were police officers who got involved to fight back.

We don't want to go back there, do we?

**Ms. Mélanie Sarroino:** Definitely not.

**Mr. Bob Dechert:** Okay.

I have no more time left, Mr. Chair?

Thank you.

**The Chair:** Thank you very much. Thank you for those answers.

Our next questioner is from the New Democratic Party.

Monsieur Jacob.

[*Translation*]

**Mr. Pierre Jacob (Brome—Missisquoi, NDP):** Thank you, Mr. Chair.

I want to thank the witnesses for participating in our discussion this afternoon.

My first question is for Ms. Sarroino. All the other witnesses could of course also comment afterwards.

What struck me in your comments was the fact that you talked a lot about social support, a continuum of health care, housing and a holistic approach.

As you know, Sweden adopted a model where the buyer of services is criminalized. However, that legislative measure was accompanied by some extremely important social measures. Such a model cannot work if the authorities do not have the required resources to help those who need assistance.

Do you think it would be possible to eradicate prostitution in Nordic countries, such as Sweden, without similar social measures?

• (1455)

**Ms. Mélanie Sarroino:** No, obviously not.

I won't repeat everything that has been said. However, as long as poverty is not being fought and as long as health care and detoxification services are not being implemented, women will have no choice but to turn to prostitution to be able to feed themselves and their family. Moreover, they won't be able to see how they can leave that life behind if they want to, since no services will be available to them.

According to testimony I heard, it can take up to 15 attempts and several years to successfully leave prostitution. If services are not available or are not funded, women who want to leave will certainly not be encouraged to do so. In sum, I think this is of the utmost importance.

Basically, we first have to tackle all the problems that make women turn to prostitution.

**Mr. Pierre Jacob:** Ms. Steacy, did you want to add anything?

**Ms. Lisa Steacy:** I will make a quick comment in English.

[*English*]

I think for too long prostitution has been what's there to catch women in the absence of a social safety net. If we start to address and work to get rid of prostitution, we will necessarily have to confront all the inequality, all the things that have been stripped away, all the things that are missing that funnel women into prostitution.

[*Translation*]

**Mr. Pierre Jacob:** Thank you, Ms. Steacy.

Would any of you like to bring up anything else?

**Ms. Natasha Potvin:** I just want to add....

[*English*]

**The Chair:** Would you like to add, Madam Potvin? Then, Ms. Quinn....

[*Translation*]

**Ms. Natasha Potvin:** Yes. Thank you, Mr. Chair.

Services are needed, but we still have to distinguish between an act among consenting adults and an act of abuse. People need to recognize that an act between two consenting adults is a different matter. However, better resources have to be provided for all those who want to move on to something else or want to remain in prostitution. At the very least, support and more assistance have to be provided. Even in the case of acts between consenting adults, people have to be given an opportunity to report assault, abuse or a violent act.

[*English*]

**The Chair:** Monsieur Jacob, Ms. Quinn had her hand up.

[*Translation*]

**Mr. Pierre Jacob:** Ms. Quinn, go ahead.

[*English*]

**Ms. Kate Quinn:** Thank you very much.

Yes, we absolutely must address the poverty issues that affect women more than men. We all know that, so I won't go into it. As a quick example, in Alberta a woman who had been experiencing significant mental health challenges turned to our welfare system. She was able to get \$723. However, the rent is \$700. So she had to continue to post her ads on backpage.com, an Internet buy-and-sell site, simply to meet her basic living needs. This is what has to stop.

I said a big priority of the money from the John School is for basic poverty relief. Whether it was food store certificates, paying for prescriptions for medicines, for children, or anything you can think of that you need every day, we have paid for it out of those funds. Also, we have created this beacon of hope—we have bursaries and endowments now established at two primary university and colleges. Our phone is ringing off the hook with women who want to access these bursaries so they can have the chance for a different life.

When we say we want to decrease the demand, we cannot just decrease the demand, which some people would argue will take away income. We must increase the resources. So it must be this threefold approach of decreasing the demand, heavy social investment, and public education at all levels.

Thank you.

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

Thank you, Mr. Jacob. That's your time.

With the last few minutes, Monsieur Goguen....

[Translation]

**Mr. Robert Goguen (Moncton—Riverview—Dieppe, CPC):** Thank you, Mr. Chair.

I want to thank everyone for testifying before us today.

We are clearly facing a fairly complex situation. All the responses will be taken into consideration. We have to find a solution that will improve the situation here, in Canada.

Ms. Sarroino, earlier, you talked about the broad range of services your organization provides. You piqued my interest when you talked about your advocacy service. Can you elaborate a bit on what that service consists of?

• (1500)

**Ms. Mélanie Sarroino:** As I explained, that's sort of what I am doing today by participating in the committee meeting. That's also related to the militants in our member centres who call their regional MPs to talk about prostitution and the fact that the demand needs to be eliminated. Every centre has militants who are often survivors and work on several issues of political significance. Our advocacy services also include compensation for victims of crime. In Quebec, we are working very hard to expand the list of crimes eligible for compensation. That's part of our work in advocacy. There are also many other aspects I could explain, but I don't want to take up too much time.

**Mr. Robert Goguen:** Thank you.

[English]

**The Chair:** Okay, do you want to....?

**Mr. Robert Goguen:** Okay.

Mrs. Gerrard, your services seem to be extremely effective to the point where you're keeping people out of the system. You have a waiting list. I'm wondering if you can give us a brief profile of the typical person who goes to you to be withdrawn from the system. I know each individual is different, but is there a typical person, and what state of health do you find them in and in what mental condition?

**Ms. Glendyne Gerrard:** I think perhaps you're wanting to ask the question of somebody else. We don't offer current exit service delivery, except one of our churches is involved in the city of Winnipeg. Are you referencing that?

**Mr. Robert Goguen:** I'm sorry, right screen, wrong person.

I'll address that question to Mrs. Quinn. I don't know if I framed it properly. Did you understand what I was saying, Mrs. Quinn?

**Ms. Kate Quinn:** Yes, I do.

We again put a high priority on trauma recovery. We find that the women have experienced intergenerational trauma, which take a lot of time to heal if they're seeking to rebuild their lives. Some were abused as children, so there are layers and layers there. Then certainly they have experienced violence when they were being exploited through prostitution, whether it's been at massage and escort services, or on street or any other venue.

So again, women have been coming to us, asking us for healing. We are working with specialized counsellors who understand the depth of trauma. Again, we find that many have developed mental health challenges as a result of the indignities, the degradation, and the violence that's been perpetrated against them.

One of our advocacy points is for sufficient funding for long-term trauma recovery counselling that, in addition to professional therapeutic assistance, also involves peer support, as mentioned by others. It's really key that those with lived experience be central to the healing process and the whole journey of rebuilding one's life.

**The Chair:** Thank you very much for those questions and answers.

I want to thank our witnesses for joining us today. It has been very informative and added to the discussion of Bill C-36 in great detail.

This is our second-to-last meeting. We'll be taking a half-hour break, and then we will start our final meeting of witnesses on Bill C-36.

With that, we will adjourn.







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