



House of Commons
CANADA

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

SSLR • NUMBER 013 • 1st SESSION • 38th PARLIAMENT

EVIDENCE

Wednesday, March 16, 2005

—

Chair

Mr. John Maloney

All parliamentary publications are available on the
"Parliamentary Internet Parlementaire" at the following address:

<http://www.parl.gc.ca>

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

Wednesday, March 16, 2005

• (0840)

[Translation]

The Chair (Mr. John Maloney (Welland, Lib.)): Good morning, I am the chairman of the Subcommittee on solicitation laws.

[English]

We're here to discuss our solicitation laws. We're a subcommittee of the Standing Committee on Justice, Human Rights, Public Safety and Emergency Preparedness.

This is perhaps a little bit of a late start, but we're just waiting for two members to come. We know they're on their way. But we have a quorum. I think we will commence, because we have time constraints.

Our general process is that we hear your various presentations for roughly five to ten minutes, and then we do rounds of questioning by our members in a seven-minute round and then a three-minute round, until the time has expired.

We thank you very much for your presence here today. It's certainly a subject of concern, and certainly a subject that we are looking into in depth. We very much appreciate your contribution.

I'd like to open the meeting this morning with Mario Leclerc, from the Service de police de la Ville de Montréal.

Go ahead.

[Translation]

Inspector Mario Leclerc (Community Service, South Shore, Service de police de la Ville de Montréal): I would like to take this opportunity, on behalf of the service de police de la Ville de Montréal, to thank you for having given us the opportunity to appear before you this morning and share with you our position on solicitation and violence against sex workers, both male and female.

Firstly, I should point out that the City of Montreal has defined a specific mission for its police services, and that this mission is supported by both federal and provincial legislation. In partnership with, amongst others, various institutions, socio-economic organizations, community groups and residence, our police service undertook to prove the quality of life of all citizens of what was then the Montreal Urban Community, now referred to as the City of Montreal. In more concrete terms, the police is committed to creating a peaceful and safe environment where the rights and freedoms enshrined in the Quebec and Canadian Charters would be respected.

Prostitution is a priority for us. The legislative measure which we enforce in order to fight prostitution, and to help the young men and women caught up in it, is, of course, section 213 of the Criminal Code, the section dealing with solicitation.

Allow me to stress that, as a police service, it is incumbent upon us to ensure quality of life for Canadians. Furthermore, on a daily basis, we must deal with, on the one hand, citizens who have the right to live in peace, and, on the other hand, male and female prostitutes who walk the streets and who often have major substance abuse problems.

We believe drug use to be directly linked to organized crime, and to all the problems linked to illegal drug dealing on the streets. We are often asked to contact the City of Montreal's Public Works and Environmental Department, le Service des travaux publics et de l'environnement, in order that syringes, used condoms, and so forth, be cleaned up. It is for this reason, in an attempt to find ways to improve the quality of life of both boys and girls on the street and residents, that we sought the cooperation of the Public Health Branch of the City of Montreal.

It would be remiss of us to ignore the issue of boyfriends, usually referred to as pimps, who take advantage of a girl's drug addiction for their own ends. In some cases, girls turn to street prostitution simply to get their daily takes.

Section 213 of the Criminal code allows us to maintain public order, something to which all citizens are entitled. It also allows us to reach out to young men and women who are drug addicts. It enables us to offer them other choices.

When their work brings them into contact with a drug addicted prostitute, the majority of our drug officers customarily offer her the possibility of going to a community centre or hospital so that she might get the best treatment possible and break away from drug related prostitution, or, at the very least, to ensure that a major crisis is avoided.

In some instances, the community had protested about this situation, because they realize that, often, sex workers had to endure degradation and deplorable living conditions. In our view, it is help rather than repression that these girls need.

Nevertheless, unfortunate as may be, repression is one of the tools available to us. It is, however, used as a last resort.

The Service de police de la Ville de Montréal's action plan comprises four stages. When we first encounter a prostitute, or receive a complaint concerning prostitution, we give the girl a verbal warning. We also give her the opportunity of getting help from one of the city's community centres, which are doing excellent work, or a hospital.

● (0845)

The second time, the prostitute will be given a summons to appear before the Municipal Court. She will have to appear before the court within one or two months. The third time, she is made to promise to appear before court and must accept a range of conditions. She will no longer be allowed to frequent the area where clients are usually found. Certain parts of certain suburbs are known for prostitution. If a girl is arrested a fourth time, she will be held in detention and will appear in court the following day or the day after, depending on the legislation in place.

I would now like to make a few remarks about the clients. We also arrest clients who frequent these areas, and who unduly solicit and take advantage of young male and female prostitutes. In some instances, clients even solicit ordinary women, members of the public who are simply going to work, minding their own business. In our view, that constitutes undue harassment. It is extremely degrading for people to be asked how much they charge for a particular sexual service. In our view, it has an unacceptable impact on our citizens' quality of life.

As I am sure you are aware, whenever we receive complaints about prostitution, pimps are involved. Given that drugs give pimps such a tight hold over prostitutes, it is often very difficult for us to carry out inquiries because the girls do not want to speak out against their pimps. Either they fear reprisals, or, quite simply, they want to keep their drug source. Last year, we were able to arrest some pimps. On such occasions, we seek the help of community organizations to convince the girls to cooperate with us so that we can lay charges against the pimps.

I would now like to comment on our priorities. All public services have limits and specific priorities. Our first and foremost priority is minors who are involved in the sex trade. Where minors are involved, an inquiry is immediately opened. If prostitution is taking place near childcare centres, or other places frequented by children, for example schools, we automatically open an inquiry. The same is true if prostitution is taking place near a park frequented by children and families, or if public safety could be compromised because somebody has a highly contagious disease.

Our programs aimed at reducing violence against these girls and boys have four main components: education, prevention, police visibility and repression. As regards education, we have already begun working with a theatre group which performs a play entitled *The Charming Snake*. Currently, 40 plays, which deal with poverty and other circumstances which can lead young girls and boys into prostitution, are being performed in schools.

We also work with youth centres in Montreal. A program called Cinderella's Silence allows us to reach out specifically to young girls who could be solicited by street gangs or others in youth centres. We explain to the girls the way in which these people will try to entice them into prostitution: seduction, pretending to love them, then

making them pay back debts to their so-called boyfriend/pimp. The girl then winds up on the street to get money for her pimp, because she has to be worth-his-while financially. When she is not making him enough money, she is simply sold to other criminal organizations.

● (0850)

The sexual exploitation of children for criminal purposes is another of our priorities.

We have developed different programs which allow us to support these girls. By way of example, I would cite our program for exposing all abusers. It is a program for male and female prostitutes who decide to denounce abusers. We have set up a team of three permanent investigators who are available around the clock. In some cases, where the police have handled a complaint in an insensitive manner, the young sex workers who feel judged can chose to call our team of investigators. We put the girls in contact with an organization called Stella, an organization with which we are working very successfully.

The girls also have the opportunity to give us any information they have about bad dates or violent clients. Once given the information, our investigators open specific inquiries.

We have the same system in place for potential suspects. We are provided with a description of both cars hanging around the area and suspects, in case any of them mistreats the girls. If it turns out that that they do, the girls can file a complaint. These lists are communicated to us once a month, and the information is taken very seriously by our police officers. The officers working for our sexual assault unit are also sent a copy of the list because potentially violent clients are violent both towards male and female prostitutes, and towards women in general. It is the same thing for homicide: there is regular follow-up and analysis.

We also have a program for young people dealing with domestic violence, where one parent is being beaten up by his or her partner. We have set up a program with the Montreal Municipal Court which is open to all people not involved in prostitution. We are doing our utmost to promote this program. Anyone who is victim of spousal abuse has access to the same services. We are also promoting this program amongst our North and South Shore colleagues, so that girls can be informed of the conditions of a suspect release.

We also run operations to arrest clients and pimps, these are operations which I spoke about earlier. Obviously, child trafficking is an important issue for us.

[English]

The Chair: Mr. Leclerc, could I ask you to wind up in about a minute?

[Translation]

Insp Mario Leclerc: We recommend that you maintain the current legislation, we also feel that it would be worth exploring harsher sentences for clients and pimps.

Thank you.

[English]

The Chair: Thank you.

From the *Journal de la rue*, Raymond Viger.

[Translation]

Mr. Raymond Viger (Director General, Journal de la rue): My name is Raymond Viger and I am the Director General of the *Journal de la rue*. We also publish a national information and awareness raising magazine entitled *Refllet de société*. This is the first time that I have attended such a formal meeting, and I hope that I will not breach protocol.

I am a community worker, working at grassroot level, and I am a crisis intervenor with suicidal people or drug addicts. I have been working with prostitutes from more than 30 years. I have never tallied up exactly how many prostitutes I have met, but I know it has been several hundred over the past 30 years. I have met not only working prostitutes, but also those who have left prostitution, some of them 10 or 15 years ago, and who have the benefit of insight. I am therefore in a position to give you an interesting overview of the situation.

The debate on legalizing prostitution is complex; the shadow of prostitution looms wide, and there is no single act that alone fully defines prostitution. On the one hand, some prostitutes get paid \$4,000 to spend the weekend with a politician or an international star; and, on the other hand, others, who are suffering from mental health problems, oral fungus infection, drug addiction and AIDS, get \$20 for a blow job. There is, clearly, a huge range in prostitution. When you want to regulate something so broad, the debate is inevitably more complex.

The issues being discussed are, firstly, the irritants, by which is primarily understood street prostitution, and, secondly, the safety of those involved in prostitution. It is important to study street prostitution in the context of the debate on legalization. When I speak of street prostitution, I am referring to both men and women. The problem of prostitution cannot be approached from only one angle.

Let us turn to the dangers of legalizing prostitution. If prostitution were to be legalized tomorrow morning, some sex trade entrepreneurs would be dealing in what the industry refers to as "fresh meat", in other words people aged from 18 to 21. The people who are currently involved in street prostitution would not even be able to work in these brothels. The managers of the brothels would be looking for new employees to satisfy their clients' demands. Legalizing prostitution will not necessarily reduce problems or the number of people on the streets.

Another problem is that people who are employed when they are between the ages of 18 and 21, will be replaced by younger sex workers in five to ten years time. This means that legalization will lead to an increase in street prostitution. In those countries which

legalized prostitution some 10 years ago, there is now between three and ten times more street prostitution than before legalization.

Another problem is related to the clients. If brothels are legalized, the clients who treat prostitutes with respect will go there. Who will that leave as clients for street prostitutes? People who are more violent, people who perhaps want to have sex without using a condom, and to only want to pay half of the asked for price. As a result, street prostitutes will have a higher number of undesirable clients and their safety will be further compromised.

Currently, the general public and the business community are fairly tolerant towards sex trade workers. If a prostitute is hanging around in front of a shop window, the store owner will tolerate her. If prostitution were legalized tomorrow morning, the shop owner would simply say to the prostitute that now that there are legal brothels he no longer wants to see her hanging around his store, even if the prostitute could not work in a brothel because of her age or physical condition. Legalization could, therefore, make the general public and the business community more intolerant. Rather than one person prostituting herself in front of a store, there will be three, five or even ten. Store owners may come to the end of their rope and snap.

There is another problem related to legalization. Some say that, once legalized, prostitution will come under municipal jurisdiction. The problem is that, in Quebec, some towns do not have a police force, some towns only have one police officer working part-time. We cannot leave towns to deal with the legalization of prostitution alone. If we do, criminal groups will simply move in and open up huge brothels. The problem will not be in Montreal, with its 4,000 police officers. I am more worried for Terrebonne, Bois-des-Filions or the south shore, and for all the towns on the outskirts of Montreal. It will be good news for taxis; taxis will be riding back and forth between downtown Montreal and these other towns. These outline towns do not have the necessary police force or infrastructure to deal with brothels. If prostitution is legalized, tomorrow morning someone may come along and open a brothel with 500 prostitutes. It will not necessarily just be a small scale operation.

On that point, I would like to turn to the example of Nevada, in the United States, a state which legalized prostitution. Las Vegas, an important tourist destination with casinos and shows, has refused legalization because it is not good for the tourist industry. There will be no brothels in downtown Montreal, with its festivals and shows, etc. They will be confined to outline areas.

● (0855)

The neighbouring town to Las Vegas has legalized prostitution. Legalizing prostitution has created ghettos in Las Vegas. Everything is larger than life and beautiful in Las Vegas, but it becomes a ghetto when you come across 12 Mexicans on a street corner holding signs advertising sexual services in the neighbouring town. Large trucks drive by bearing advertisement saying: "Call this number for sex". It all happens in the outlined areas. Tourist destination towns do not want to legalize prostitution, but even if they do not, they feel the repercussions of it being legalized in a neighbouring town.

I went to Las Vegas and I saw this group of 12 Mexicans. What most touched me on seeing them, and the majority of them were girls, is that one was only about 12 years old. She was soliciting for legalized brothels in the neighbouring town. Seeing her caused me to ask myself many questions. She was 12 years old. I wondered whether she was drumming up business for her mother or for her sister? If, at 12 years of age, she is already soliciting in a State which has legalized prostitution, at what age is she going to become a prostitute herself? Even if prostitution is legalized for those over 18 or 21 years of age, there is no denying that the average entry age is 14. That is another problem.

If prostitution is legalized, there will be a labour force shortage. We went through this with \$10 lap dances. There were not enough people to do the job. Are we going to have to set up a new immigration program for exotic dancers, or a similar program to attract prostitutes from around the world? That is the question.

If prostitution is to be legalized, there are certain prerequisites which cannot be overlooked. This is something which cannot be taken lightly. Firstly, we would have to carry out prevention work with vulnerable people. Those involved are street kids, children who are wards of the State, children of school age. We cannot allow a situation whereby 12-year-olds, 13-year-olds or 14-year-olds decide to drop out of school and become prostitutes, saying to themselves that they do not need an education because they will earn a lot of money.

Secondly, police budgets have to be increased. The government cannot simply legalize prostitution and then leave us to get on with it on our own. Controls are needed, and, therefore, police budgets have to be increased. In addition, we will have to ensure that municipal, provincial and federal police forces are able to work together. Prostitution is an international network, and it is, therefore, important that all police forces can work together.

One essential condition to the legalization of prostitution is that it must be fully regulated by government. We cannot let the free market control prostitution. That means... [*Technical Difficulties—Editor*]... in a brothel. The different levels of government must be involved in administering, managing, and ensuring the safety of brothels. The government cannot legalize prostitution and wash its hands of it. It is not something which can be left to others.

Those countries which have legalized prostitution have lost a great deal of control by allowing it to be governed by the free market. That is why all levels of government have to be involved.

I would now like to turn to the five recommendations listed in my brief.

Firstly, the current solicitation legislation should not be amended. It should be kept as it is.

Secondly, intervention budgets for helping those involved in prostitution ought to be increased.

Thirdly, budgets for preventing society's most vulnerable from becoming involved in prostitution must be increased.

Fourthly, a multidisciplinary standing committee on prostitution ought to be set up. The committee should comprise community organizations, the police forces, psychologists and lawyers. It should

include various stakeholders who could influence decision makers and the way in which the issue is handled.

Fifthly, a full employment policy is required to fight poverty effectively. If we do not want people to become involved in prostitution because they have no other choice, we must ensure that they have other employment opportunities and that they can earn a living by means other than prostitution. When that happens, we can perhaps start talking about choice.

Thank you.

• (0900)

[*English*]

The Chair: Thank you, Mr. Viger.

[*Translation*]

I would now like to give the floor to Ms. Agnès Connat, a member of the Association des résidents et résidentes des Faubourgs de Montréal.

Ms. Agnès Connat (Member, Association des résidents et résidentes des Faubourgs de Montréal): Good morning, ladies et gentlemen. Thank you for allowing us to speak this morning.

I represent a residents' association from east downtown Montreal. Today, I am here to share with you the perspective of those who live in areas affected by street prostitution. In around 2000, enforcement measures stemming from Section 213 of the Criminal Code were virtually abolished. I am sure that our friends in the police force will back us up on this. At that time, the police were not very active in enforcing Section 213. There was a lot of street prostitution, and with it, a lot of violence.

At that time, the City of Montreal had launched a pilot project to decriminalize prostitution in our suburb alone. The residents of our community protested vociferously against the project. Today, we would like to thank those who undertook the initiative as it served as a wake up call to residents, making them realize they did not have to accept all the negative repercussions of street prostitution. Unlike what is happening today, when the project was first proposed, residents of the districts affected by prostitution were not consulted. Today, I am going to share with you the experiences that I and my community live through at the time when street prostitution was rife.

Since our Association was first founded, we have worked extensively with the city, the community organizations and the police in an effort to find solutions. It was something we could have done without, but we had experience of street prostitution to share.

Obviously, I shall be echoing what has already been said this morning. In our suburb, street prostitution is closely tied to drug addiction. We have seen for ourselves, that the money doesn't stay in the prostitutes hands for long. Girls step out of the car with a \$20 bill and proceed to give it directly to their pushers, because \$20 is the price of a hit. I do not know if you are aware that a cocaine addict can shoot up 20, 30 or 40 times a day. Obviously, that requires a great deal of money, and a great deal of tricks to be turned.

People have spoken of violence against street prostitutes; this is something of which I have seen a great deal, these streets are very violent. Prostitutes are, of course, victims of this violence, but so too are members of the general public. When the time comes for legislative amendments, it is important to consider street prostitutes, but it is also important to think of those living in areas frequented by prostitutes. We have to think, for example, of those who go to a local park. When street prostitutes are at work, they often perform their services on the spot were they pick up their client. This is something we have seen with our own eyes.

I have included real life examples in our brief: children being chased out of the parks by pushers or prostitutes, elderly people... These are not urban myths. These are things that I have witnessed and of which other people told me. One elderly lady was being threatened by a prostitute and her pimp after they found out that she had called the police. They went to her home and threatened her. She is not going to put up a fight, or file a complaint. She will simply put up and shut up.

We have also heard talk of the underground nature of prostitution, but at one point, it was not really underground. It was very visible, and no less violent. I do not believe the girls were victims of less violence.

I would now like to raise another very important point. You have to realize that, if solicitation is legalized, it is not going to take place in well-to-do suburbs. It will happen in poorer suburbs, because those in the well off areas will find a way not to have to put up with it.

● (0905)

This will not be the case in the most deprived areas. In order to complain about prostitution, you need to have the means and confidence to do so. When we protested against prostitution, we did so for ourselves, of course, but also on behalf of all of those in our suburb who are in social housing and who, in many cases, come from different cultural backgrounds. These people do not complain. They will not call the police because they often come from countries where, unlike Canada, there is no trust between the police and the general public. These people are affected by prostitution, but do not complain about it.

On the subject of solicitation, let us be very clear. Thanks to the Cyclope's project which was introduced by the Montreal police force, today, as a woman, I am able to walk about the streets freely. This program, which allows the public to expose potential clients, has given me my life back. Clients are now more careful. They no longer keep coming up to us, asking how much we charge. I am a very articulate woman, I just tell them where to get off. But when a young 13-year-old girl has to phone her mother from the subway station because she cannot get home for fear of a client following her, it is a lot more serious.

I have seen this problem first-hand. I was talking with a friend on my door step one evening, when a client stopped to ask how much for the girl. All this serves to illustrate that prostitution has a very negative impact on the lives of women who live and frequent these suburbs. I could also tell you about the young girl who developed a strategy of putting on a baclava before leaving home to show that she was not looking to turn tricks.

Women who live in an area where there's a lot of street prostitution try to be invisible. They walk quickly with their heads down and do not stop. It is not much fun to live like that. I would remind you that the poorer the suburb, the worse the problem.

As regards children, we are constantly being told that if we live with children, we cannot but expect them to be negatively affected. Perhaps. I would remind you, however, that some people living in these areas do not have the luxury of being able to choose to live elsewhere. What are the repercussions for children? They see girls with no underwear wearing miniskirts that do not even cover their buttocks. I apologize, but I sometimes have to use terms which are a little... One girl was walking around naked except for a few strands of leather and her handbag. That is not what you are hoping to see when you are going to the daycare centre in the morning.

One woman who looks after children from low-cost housing said that little girls of around 12 were standing on the street corner and betting to see who could get the most cars to stop. One said: "Five stopped for me." The other said: "Ah, I got seven". This is a game that children in our suburb were playing three or four years ago. Will they end up getting into a car one day to defy their parents, or because they need money?

You should also know that the sexual act—, for that is what we are talking about,— often takes place on the spot. Allow me to give you an example. Somebody stepped out of his house to see a girl performing oral sex on a man on the hood of a car. He said: "Hey, hey! The girl replied: "I am nearly done, keep your hair on".

I know one mother who had to leave the neighbourhood. Every morning, she had to step out before her children, because, often, she would find someone getting oral sex on the stairs. That is not a laughing matter when you are taking children to school in the morning.

Prostitution also has economic repercussions. Shop owners on Ontario Street, in particular, have really had a lot of problems on this front. If a client is window-shopping at lunch time and a girl says to him: "Eh, let's go...", the client will be scared off. This has caused economic problems on Ontario Street. Furthermore, almost all shop owners on Ontario Street, in our suburb, signed a petition asking the district to take steps against street prostitution. Hundreds of people signed petitions asking for action to be taken. It was from that moment on that the police became more active, working in cooperation with the city, etc.

● (0910)

There is a real problem with clients who drive around looking for girls. Two people have told me of a situation that they witnessed from their apartment. Men were masturbating themselves while driving, looking both at local women and prostitutes. They drive around masturbating; they might get a kick out of it, we certainly do not. This is another example of the repercussions of street prostitution in a district.

When a man goes to daycare to pick up his child in the evening, and decides to wait for his wife in the car because he wants to listen to the news, it sometimes happens that a girl will get into the car and try to convince him to pay for a trick before his wife gets back. That is not a pleasant experience.

It is often said that there are no children living in our suburb. That is not true. There are lots of children. We have five primary schools, a secondary school and trade schools. It is not at all the case that there are no children. And even if it were true, we have to remember the elderly. There are a lot of seniors in our suburb, and I can assure you that some of them are afraid to leave their homes. Some find themselves unable to sit on a public bench, because it is not their bench, but the pusher's bench.

All this to say that, regardless of the decision that you make on the solicitation laws and street prostitution, you have to bear in mind the repercussions for residents.

If you want figures, I can tell you that there are around 200 prostitutes in our suburb. I do not see what gives anyone the right to decide that 200 prostitutes can hold an entire suburb and its residents to ransom. Even if it is in a downtown area.

Should the solicitation laws be amended? For the reasons that I have mentioned, I do not believe so. In short, my experience has taught me that street prostitution and community life are incompatible. It cannot work. It is not about organizing... We hear talk of organizing the girls and developing codes of practice. I very much doubt that it would be possible to organize drug addicts.

• (0915)

[English]

The Chair: Madam, I would ask you to—

[Translation]

Ms. Agnès Connat: Okay, I will wind up.

What has to be done, to our mind, is improve prostitutes' living conditions, and make sure that other possibilities are open to them, if they so desire. If they wish to work as prostitutes, then let them do so inside. We have to make sure that people have access to health care and other services. We are not for a minute suggesting that prostitutes should be denied access to services. Steps should also be taken to improve the quality of life for residents in suburbs affected by street prostitution.

I also believe that it would be remiss to forget the client. Were you to amend the legislation, or enact legislation to introduce harsher sanctions for clients, you would certainly have my support. I feel that we often forget about the clients. I also believe that we should turn our attention to services for these clients, because, in my experience, they are real predators. If we are to accept street prostitution, and prostitution in general, then we cannot forget that the large majority of prostitutes started at a young age, often when they were minors. In my opinion, we are deluding ourselves when we try to separate the prostitution of minors from adult prostitution, because they all started at 14, or even younger. In our suburb, boys are often starting when they are 12 years old. I will end on that note.

[English]

The Chair: Merci.

Madame Dion, from the Batshaw Youth and Family Centres.

[Translation]

Ms. Lynn Dion (Resource Person on STI/HIV Prevention and Youth Sexuality, Batshaw Youth and Family Centres): Thank you, Mr. Chairman. Good morning, everybody.

Ladies and gentlemen members of the committee, on behalf of the Batshaw Youth and Family Centres, I would like to thank you for having invited us to contribute to your study.

Before getting to the crux of today's debate, allow me to give you a brief overview of the Batshaw Youth and Family Centres. There are 16 youth centres operating in the province of Quebec, two of which, the Centre jeunesse de Montréal—Institut universitaire, and the Batshaw Youth and Family Centres, serve the residents of Montreal island.

Our mandate is to provide psycho-social services, such as rehabilitation and social integration services, to children under the age of 18 and their families. Our work is primarily governed by the Youth Protection Act, the Youth Criminal Justice Act, and an Act Respecting Health Services and Social Services.

We also provide fostering and adoption services, we help people to find their biological parents, we offer expertise in dealing with the Superior court, and we provide family mediation services. The services we provide to the residents of Montreal island are offered in English. We offer services in both languages to the Jewish community. In addition, we provide residential rehabilitation services to English speakers sent to us from youth centres and other regions of Quebec.

Our clientele is extremely vulnerable to being sexually exploited by the sex trade. A high number of the young people with whom we work have been victims of physical or sexual abuse, terrible neglect, serious emotional rejection or abandonment by their biological parents. All of these factors contribute to their serious vulnerability.

Our protection and rehabilitation mandate means that we must take action to help these young people and their families find a way out. We work to ensure that neither their development nor their safety be compromised, as is defined in section 38 of the Youth Protection Act.

In order to do so, the Batshaw Youth and Family Centres have developed various programs aimed at young people and their families. One such program worthy of particular note is the LYLO project, Liking Yourself, Loving Others, an STD/HIV prevention and sexual education program which uses art and multimedia as teaching tools.

The program allows young people to use art projects and multimedia to express their sexual experiences. One of our objectives is to encourage young people to develop social and personal skills which will allow them to take control of their sexual and romantic relationships.

By way of example, I could tell you about a group of young girls, between 12 and 16 years of age, who we were able to help. Our youth workers wanted to help the young girls identify the time and place in their lives at which they felt most at risk, or most vulnerable. Together with a youth worker, the young girls combed the streets of Montreal looking for the place in question. They took the youth worker to Saint-Jacques Street, in the west of Montreal, and identified the various motels found there as being the places they had been most at risk. Each one of the girls had her own story to tell. I would go as far as to say that each one had her own horror story to tell.

This program allowed us to learn more both about the sexual exploitation that these young girls had experienced, and the way in which some pimps, who were also members of street gangs, operated.

The Batshaw Youth and Family Centres have also just developed a new internal policy to counter the recruitment activities which are currently rife in our establishments. Young people in youth centres are targeted by individuals involved in illegal activities such as drug dealing, pimping and street gangs. These people hang around our establishments, schools, subway stations, shopping centres, parks, etc., and promise young people love, money, freedom and a glamorous lifestyle in an effort to recruit them. Some of these predators have already been through the youth protection system and are very familiar with how it works. It is therefore easier for them to try to outsmart the system.

Helping young people find a way out of the sex trade remains a huge challenge. Often, we are working without the support of a stable and strong family environment. In the same way that there is no such thing as a typical client, there is no such thing as a typical young prostitute. In one of his works, Michel Dorais commented that it is important to treat prostitution as a behaviour, and not as a state of being. It is important to distinguish between a person and his or her behaviour.

Furthermore, the growing trend towards portraying young girls as sexual beings in the media, while not a cause of the prostitution of minors, often makes young girls vulnerable to sexual predators, pimps and clients. The message conveyed by advertisement and fashion models push teenagers toward sexual behaviour which they do not yet fully understand, and which, therefore, makes them more vulnerable.

The Badgley report tells us that the prostitution of minors starts at an early age: 2 per cent of youth first became involved in prostitution before puberty. The average age at which teens enter prostitution is said to be 14 and 16; however, there seems to be a trend to young people starting earlier, at around 12 or 13 years old.

This trend is something that we noticed amongst our clientele. Their youth makes them choice victims for recruiters. We do not have exact figures as to the number of our clients who are involved in juvenile prostitution; however, we can confirm that the problem is worsening within our establishment. The exact extent of the problem is unknown to us, because it is difficult for us to get tangible proof that the young people are involved. Both young girls and boys are afraid of speaking out and revealing what is going on.

Some of our young girls who have been abused by pimps or clients themselves become involved in recruitment once in our establishment. They are caught in a net from which it is difficult to escape.

● (0920)

We are bound by our mandate to take the necessary measures to protect these young people and ensure that they are no longer compromised. This is, of course, another reference to section 38 of the Youth Protection Act.

We cannot keep these young people in our residential units under intense supervision until they legally become adults, in order to ensure that they are not sexually exploited. That would not really be doing them any favour. Furthermore, such an approach would be inconsistent with our mission which is more family centred and, where possible, aims to keep children in their home environment. We favour an harm reduction approach. We are aware that the lifestyle which goes hand in hand with prostitution is very harmful to young people: physical and psychological violence, bullying, death threats, risk of STDs/HIV, drug and alcohol abuse.

In light of the type of work which we do, it would be difficult for us to be in favour of legalizing prostitution or, even, decriminalizing solicitation. On a daily basis, we work with young people who are already scarred by life, and the pernicious effects of the sexual exploitation of which some have been victims. As a result, we are in favour of the prevention of prostitution. It is often said that prostitution is a crime without victim; however, in our experience, all young people involved in the sex trade are, in our view, first and foremost victims. We are often unequipped to deal with the problem of sexual exploitation. In order to be able to adequately protect our young people from exploitation and abusive situations, we have a duty to introduce focussed measures based on a multisectoral approach in collaboration with all of our partners.

This means that it is essential for us to develop preventive measures in order that young people do not become involved in prostitution. Our LYLO project, le Centre jeunesse de Montréal—Institut universitaire sexual education program, as well as their intervention program entitled the Silence of Cinderella which deals with juvenile prostitution within street gangs, and which has already been mentioned by Mr. Leclerc; and the Théâtre Parminou production *Le prince serpent*, an SPVM initiative, which is now translated and available in English under the title *The Charming Snake*, are all prevention and intervention tools now available to us. However, we need more.

It is, therefore, of primary importance that the various levels of government invest in training social workers and those who work in the legal field, both at a community and public sector level, as well as in initiatives to educate the public about all the issues surrounding this problem. Furthermore, pimps and any other persons exploiting these young people ought to get harsher sentences. We are thinking of the youth who are victims of sexual exploitation; we would be in favour of any measures which would offer them more protection. Thank you very much.

● (0925)

[English]

The Chair: Merci, Madame.

From the World March of Women, Diane Matte.

[Translation]

Ms. Diane Matte (Coordinator, World March of Women):

Good morning, and thank you, Mr. Chairman, ladies and gentlemen members of the subcommittee. Allow me to take a few moments to give you an overview of the World March of Women.

The World March of Women is a worldwide feminist network fighting poverty and violence against women. We are an umbrella organization for more than 5,300 women's groups spread over 163 countries and territories. These groups share certain common concerns; the growth, and above all the feminization, of poverty, and the continuing problem of violence against women across the world. We fight for change on a daily basis.

We approach prostitution and the growth of the sex industry from the perspective of sexual exploitation, the enslavement of the world's poorest women, racism, and the international division of labour. We would like to remind you of two statistics which illustrate a woman's lot in the world, and which, in our view, ought to guide the work of the subcommittee. Official data from the United Nations Development Program show that almost half of the world's population live in extreme poverty, with less than \$1 US per day. Seventy per cent of people in this situation are women.

World bank documents tell us that violence against women is as significant a cause of death and disability among women of reproductive age as cancer. To put it more bluntly, we could say that, the world over, women are far more likely than men to die of malnutrition, a lack of health care, and particularly a lack of reproductive health care. Furthermore, whether they be prostitutes or not, they are also far more likely to be killed by a man, and in most cases, by a man whom they know. Why? Because we still live in a world where the lives of women and girls are worth less. Our political, social, economic and cultural systems are based on the differentiated and unequal treatment of men and women. Here, as elsewhere in the world, the patriarchal system still stands firm, resisting all the changes which women have tried to introduce. Progress has been made, and we continue to move forward, however, the road ahead is lined with obstacles. The task at hand is huge, and the system as old as the world's oldest profession.

Let us now turn to patriarchal institutions. The patriarchal system is founded on four pillars which allow it to survive and flourish. These pillars are marriage, maternity, heterosexuality and prostitution; four institutions which seek to control both women's bodies and their sexuality. As feminists, we have managed to take some of the wind from the sails of most of these institutions, with the exception of prostitution. However, it should be pointed out that this progress has been made in the West, but remains a far cry from the reality of the vast majority of women around the world.

I would like to speak about each one of these institutions in turn. Let us start with marriage. In Canada and Quebec, marriage is no longer seen to be the only career option for young girls. Furthermore, the rise of new styles of union has shattered conventions. However, in many countries of the world, in particular in Africa, girls are still forced into marriage. There are also countries, in Asia, for example, where women are burnt alive upon the death of their husband.

The right to choose the number of children that she wants, the right to terminate an unwanted pregnancy, and the right not to have children are all rights for which Canadian women struggled ardently and won; even if these rights must still be fiercely protected, a step in the right direction has been made. These are not choices open to the majority of the world's women. Think of the pressure that the Vatican, supported by one of the world's superpowers, the United States, exercises to undermine a woman's right to choose the number of children that she wants, her right not to have children, and her right to control her own fertility. Think of the Latin American aboriginal women forced to undergo sterilizations, and of the fact that abortion is criminalized in many countries, including western countries such as Portugal and Ireland.

The requirement to be heterosexual has also been somewhat weakened, even if the advances that we have made on this front remain among the most fragile. A woman's right to love whomever she wants remains a difficult right to defend. By bringing homosexuality out of the closet, and, especially, by no longer defining it as an abnormality or mental illness, many women have been given the opportunity to make different life choices. Such choices unthinkable in many countries of the world where anything other than heterosexuality is repressed, sometimes by penalty of death.

The fourth institution, prostitution, however, continues to flourish.

● (0930)

The sex trade, pornography and sexist advertising have made sure of this. These days money can buy anything and therefore selling women's bodies virtually or physically is very profitable, more and more profitable. Trafficking in women and young girls, especially for the purposes of prostitution, is on the increase. Despite the fact that there are very clear links between trafficking and prostitution, there is significant resistance to targeting those links and, especially, targeting demand.

It is worth pointing out that for women, challenging any of these patriarchal institutions means exposing themselves to repression and violence. In fact, violence against women can be defined as being the ultimate tool of repression when women refuse to put themselves at the service of men.

Why do we think that the decriminalization of prostitution is not the answer to violence against women involved in prostitution? Because the main purpose of violence against women is control through denigration, terror, beating, torture and even death. Women who are involved in prostitution are more susceptible to that violence because the men using women think that they can do what they want with them because there has been an exchange of money. Even if the women wish to set limits, the men feel justified in exceeding those limits because they have paid for their control.

If we truly want to deal with the issue of violence against women prostitutes, then we think that we need to look much more broadly at the lack of equality between men and women. We especially need to look at the issue of demand, that is men wanting to buy sexual services, and make the obvious connection with keeping women in a state of inferiority. It is also worth pointing out that prostitution involves all women. In a patriarchal system, a male client does not ask himself whether or not a woman wants to prostitute herself: he prostitutes her.

What would be the consequences of absolute decriminalization of prostitution today?

Canada has a significant international reputation for its work in the area of violence against women. It was the first country in the world to grant refugee status to women fleeing violence. It was one of the first countries to make domestic rape a crime. We have developed practices and passed legislation that are the envy of many groups throughout the world. The Canadian government signed the Palermo Protocol on sexual trafficking of women and children.

We feel that it would be inappropriate for Canada to decriminalize prostitution for the purposes of decreasing violence against women prostitutes. That would send the wrong signal and it would decrease Canada's credibility in this area. We feel there is no compelling evidence that shows that violence against women prostitutes has gone down in countries that have decriminalized or legalized prostitution. On the contrary, trafficking networks have even more means at their disposal to sexually exploit women and young girls who want to improve their lives, and there are many of them.

Therefore, we need to consider the fact that in Holland, for example, ever since the sex trade was legalized, it is mainly women from the south who are displayed in the windows. That is why we have to make the connection between prostitution, sexual trafficking, the enslavement of poor women, racism, and global division of labour.

In fact, when you consider patterns in human trafficking, and especially sexual trafficking, it quickly becomes evident that the trafficking is occurring from east to west and from the south to the north and is following, not coincidentally we feel, the same patterns of debt repayments from poor countries to rich countries. We can only observe with horror the fact that institutions such as the World Trade Organization proposed a few years ago that countries such as Thailand include revenue from sex tourism in its gross domestic product, or, more recently, the case of an unemployed woman in Germany being made to accept employment in the sex trade.

The situation has to change. However, we feel that current Canadian legislation, and that is the point of our presentation this morning, does not deal with pimping networks and prostitution as an institution. We know that it is women who are doubly penalized by being the victims of stigmatization and marginalization, especially those who work on the streets, and of police repression, not to mention potential violence on the part of clients.

● (0935)

We denounce the lot of aboriginal women. The system has ignored them and has placed them in a situation of even greater vulnerability. We especially feel that it is high time that we stop

trying to control women who are prostitutes. We need to look at this issue from another perspective, that of demand and the trade.

That is why our top recommendation to this subcommittee is that women involved in prostitution or subjected to trafficking no longer be considered criminal. That includes women who have been the victims of trafficking being able to apply for refugees status or immigration, depending on the circumstances.

We also recommend that you begin a process with a view to adopting framework legislation that focusses on demand and the dismantling of pimping networks. That legislation should lead to education campaigns for the general public and to teach young boys and girls in schools on the causes and consequences of prostitution.

The legislation could also result in connection being made between gender equality policies and a fight against pimping and sexual exploitation. Under that legislation we could also review sections from the Criminal Code and also those from Immigration Refugee Protection legislation that allow the sex trade and sexual trafficking to expand in Canada.

We recommend that the subcommittee call upon the government to take all necessary measures to eliminate poverty in Canada by establishing specific programs that tackle poverty for women.

In conclusion, we call upon the government to respond quickly and positively to the request of aboriginal women who want their aboriginal status acknowledge in their community, and to give them the tools they require for leadership.

Thank you.

The Chair: Thank you, Ms. Matte.

[*English*]

Monsieur Hanger, you have the first round of questioning, sir.

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

I want to thank all the presenters here this morning. I have to say that I was very impressed with your presentations. There was one overarching thought that came into my mind as I listened to each one carefully. It was that all here look at the greater good of the community, whether it's your own community or whether it's the community at large, which is the country at large, Canada. What we have to consider is how these laws should be reflected, so I have to thank you all for your presentations, because I think they really tell me a substantial message. Your presentations have been very clear.

Having been a police officer for 22 years with the Calgary Police Service, I could identify very clearly with the inspector as well as with Mr. Viger. Both of them were to the point. I think the issues I saw as a former police officer and as an individual living in a community, the city of Calgary, very much reflect what has gone on in your own city. Ms. Connat pointed out how it has impacted part of her community. Believe me, that is exactly a repeat of what we experienced in Calgary and the comments that many citizens made there.

I think that's what our committee is all about too. We're all about looking for the greater good, and the laws that we end up examining and maybe enacting are going to be for the greater good.

Inspector, you made it very clear that there's a pimping problem, especially when it comes to street girls, and that these pimps also basically have control over these young girls by use of drugs. Drugs basically reflect organized criminal activity. From my knowledge, drugs have always been obtained through that channel. Very seldom do individuals work independently. What would you suggest as a greater control over the pimping activity that is prevalent on the street, within the street prostitution area, as far as a better way of controlling that activity is concerned?

I know police resources are limited. They're limited in every community across the country. But enforcement seems to be an answer here when it comes to more teeth in the law or greater activity and police presence, as far as enforcement is concerned.

• (0940)

[*Translation*]

Insp Mario Leclerc: In my opinion, one of the problems with the disclosure of information is the inability of young girls to provide that. We need to have mechanisms, beyond legislation, that allow these young girls to find their way out. We need to look at the whole phenomenon and, besides traditional mechanisms, provide for much greater punishment of the pimps who threaten these young girls.

This is purely and simply organized crime. You know that just as well as I do, Mr. Hanger. The current anti-gangsterism legislation includes other activities up to a point. I think we should consider the possibility of including this type of crime in gangsterism and drafting pimping clauses. You know as well as I do that it is not at all easy to encourage or make these young girls speak out against their pimps.

[*English*]

Mr. Art Hanger: We have heard varying comments about the level of organized criminal activity when it comes to prostitution. Some have told us that if prostitution is legalized and there are brothels for these girls to take them off the street, that's going to be the answer; we won't have street prostitution anymore. I have heard from both you and Mr. Viger, and also from the testimony of others who have reflected on jurisdictions like Amsterdam, that even though prostitution is legal, there are illegal prostitutes still operating because they don't fit into the licensed group, or whatever. They go out and around that legislation, whether it applies to local jurisdictions or federal jurisdictions.

If that is the case, the answer then is not to legalize or decriminalize it if you're just exacerbating the problem, with less control over those who perform this illegal activity.

Is that a fair assessment?

[*Translation*]

Insp Mario Leclerc: I agree with you completely, Mr. Hanger. Decriminalizing or legalizing this activity—whatever term you use—will just increase hidden prostitution. It is clear from the various approaches used around the world that people who join brothels are the ones willing to accept an extra level of control by the State. But people involved in prostitution certainly do not want the State to have more control over them, since their pimps and drug suppliers already exercise control over them. These people certainly do not want to be controlled to an even greater extent.

Research, or at least the programs that currently exist, shows that pimps have even more control over their prostitutes, both men and women, than one would think. Community organizations manage to reach out to only 28% of women working the streets, and they are in a terrible state. The other group that we are currently in contact with are boys. Among the victims of assault and other crimes that we see, many have not been traced afterwards by our investigators, despite the mechanisms that we have developed. These people are being controlled, of course, by pimps or—to use the new term—friends, or by drug dealers.

There is absolutely no doubt that such an approach would worsen the situation.

• (0945)

[*English*]

Mr. Art Hanger: Did you say that 28% of the girls actually have pimps, or is the number greater than that?

[*Translation*]

Insp Mario Leclerc: It is hard for us to say what percentage of girls have a pimp, even though somewhere between 500 and 600 people were contacted through a pilot project. Through community organizations and street workers, we were able to connect only with 28% of the women, in contrast to what we might have expected, since we received many more complaints from women than from men, who are less numerous as prostitutes on the street. We were able to contact only a small percentage of women. So 28 per cent is not necessarily the proportion of those who have a pimp.

[*English*]

Mr. Art Hanger: It would be interesting to see the results of your pilot project. I think that's a commendable approach.

There was another statement—

The Chair: Actually, you're out of time.

Madame Brunelle.

[*Translation*]

Ms. Paule Brunelle (Trois-Rivières, BQ): Good morning. It is nice to be in Montreal, to be able to speak French and to meet you. Thank you for appearing before the committee.

The focus of this sub-committee is community safety, but it is looking mainly at how to make things safer for prostitutes, because this is a major problem in Canada. There have been murders of prostitutes, and so on. In our travel, we have had an opportunity to meet with a number of prostitutes who have said very different things from what you are telling us. There has been a lot of talk this morning about street prostitution, but not much about other forms of prostitution: massage parlours, escort services, exotic dancers, etc.

Would that be part of the answer, since we do not hear about pimps and violence in those settings? Most of the women working that way say that they are actually happy with what they are doing. So it is difficult for us to know what to think.

Prostitutes, especially those who work the street, have told us that the solicitation laws actually put them at risk because these women cannot take their time in choosing their clients. They often have to move from one neighbourhood to another because they feel they are in danger. A number of them have told us that they were not at all on good terms with the police. They told us that they were afraid to lay complaints, since they did not want to have a criminal record, which would prevent them from doing anything else in the future. Their lives would be destroyed.

So do you think that partial decriminalization of prostitution might be a way of reducing violence against these women? What do you think about that solution?

• (0950)

Mr. Raymond Viger: First of all, you shouldn't think that all is well or that things are rosy in massage parlours. In Hochelaga—Maisonneuve, a massage parlour controlled by the Russian mafia was just recently shut down. Yes, there is abuse and there is violence. Some girls end up caught in parlours and get beaten up if they try to leave. They are isolated. You shouldn't think the problem has been solved.

Let's deal with the safety of prostitutes working the streets. We believe that legalizing prostitution would in fact reduce their safety, because violent clients would increasingly end up with prostitutes on the streets. That is our position. We believe there needs to be a budget increase in order to work with these people. Before we even think of legalization, we should give police more powers so that they can control the adverse effect that could be caused by all of this.

The Chair: Agnès.

Ms. Agnès Connat: I've heard the point of view you express on several occasions, in several committees I was sitting on. It's one opinion. However, people who come and appear before you have to be able to do so. They have to be articulate. The girls that work the streets are in a terrible state. I don't know if you've ever seen the state people are in when they're working the streets, but it is quite a sight. At the time, we would see them show up. There are fewer of them now in the area where I live, but I know they've moved east, to the slightly poorer area in the neighbourhood. When young women used to arrive in the spring, they were relatively pretty, and by the end of the summer, you could see them looking worse. Often, in the fall, on my way to the daycare centre in the morning I would give a lift to some of those who had been super cute and very pretty at the beginning of the spring. Then, they would disappear. You would rarely see them for two or three years straight. I'm not sure that in October, these people would be able to express their point of view or to take the time to choose. It could help. I don't think the words rapist or pedophile are written on the forehead of a john who intends to be violent. A prostitute may well speak to a john for 10 minutes; if he intends to be violent, I don't think the person engaged in prostitution is going to be able to detect that.

When a person doesn't have the choice and has to feed an addiction requiring 20 or 30 doses of narcotics per day, even if he or she technically could take the time to choose, I'm not sure that would happen, because in the end, the only thing that matters, is to get the 20 \$.

Insp Mario Leclerc: When you look at the reality of prostitution, whether it be wife swapping, massage parlours or escort agencies, our priorities are very clear. There is a lot of talk about street prostitution. However, whenever youths are involved, an investigation is immediately started. Likewise, when any complaints of that nature are lodged.

There is currently a shift in the trends. In January, in Hochelaga-Maisonneuve as well as in two other parts of Quebec, there were searches made in relation to this. The hold these pimps have on these young women is very strong. I can corroborate what Mr. Viger said on the matter.

Now, in terms of neighbourhood changing, let me reassure you. We follow up the cases of prostitution we had in our files. We are checking in places where boys have been arrested. In recent years, we have not witnessed these girls migrating to other neighbourhoods. We have a very good information exchange mechanism with community organizations. It enables us to determine whether there are any trends in terms of crimes being committed. We are very aware of what occurred in Vancouver. Furthermore, that is why we are still using these mechanisms in order to get a closer perspective and to help these girls blow the whistle on violence.

We have an approach for dealing with young women who have criminal records. Investigators that are assigned to such files reach agreements with the courts to ensure that these girls aren't released overnight and arrested again for one reason or another, thereby becoming twice the victims they were in the first place. Such mechanisms are very easy to implement.

Currently, community organizations such as Stella are cooperating with us. I totally share Ms. Brunelle's opinion who said that these girls have shattered lives. We must help them, even if it only means helping them to get access to a community organization or assistance in court. In some cases, girls have actually thanked us for arresting them because it gave them the opportunity to start the withdrawal process in prison and, two or three weeks later, to start a detox program.

Court action is unavoidable. Our four-step process does help to solve some problems.

• (0955)

[English]

The Chair: You may ask a very quick question, Madame.

[Translation]

Ms. Paule Brunelle: In order to eradicate this problem or to eliminate the prostitution we should perhaps impose harsher penalties on clients. Would this be a possible solution? It seems like you have trouble catching johns and pimps.

Insp Mario Leclerc: Concerning harsher penalties for clients, the Cyclope project, which Ms. Connat referred to earlier, has enabled us over the past three years to investigate 1600 cases. There is a 1.7% recidivism rate. So, 1.7% of these people repeat offend. This is a very important predictor of success: out of 1600 people, 1.7% became repeat offenders. In some cases, only two people reoffended, and they were brought in or stopped and questioned by our police officers. Being investigated isn't a harsh penalty. You can imagine how things would be if penalties were far harsher.

Le président: Diane, could you please provide a brief answer?

Ms. Diane Matte: With respect to the question about the safety of women involved in prostitution, particularly street prostitution, my understanding was that the subcommittee was established as a result of a motion presented by Ms Libby Davies, because of the situation in Vancouver. I do not think we can separate this fact with the fact that so many women have disappear or have being killed, from the fact that so little attention is paid to violence toward prostitutes and toward women generally, particularly Aboriginal women.

Without putting the blame solely onto the Vancouver police, it can definitely be said that there has been some negligence over the years. The fact that women disappear was not taken into account. Aboriginal women disappear, and no one is concerned. Prostitutes disappear, and no one is concerned. If we want to make women on the street less vulnerable to violence, we need coordinated initiatives that take into account their reality or the information they provide. To my knowledge, attention is not always paid to violent situations reported by women.

Some say that working on the street is hell, while working in a massage parlour is extraordinary, and that many women choose prostitution. I am sorry, but some data show that only a small percentage of women claim they engage in prostitution by choice and are calling for the same recognition for work in the sex trade as for work in any other area. I would even go so far as to say that this small percentage probably includes women who have had access to an education. It has become somewhat "jazzy" for women to say that they are in favour of working in the sex trade, and that they do that as well as teaching at a university or doing some other job, and that their lives are in no way affected by this.

[English]

The Chair: *Merci, Madame.*

We've expended our time. We'll come back to you.

Madame Davies, please.

• (1000)

Ms. Libby Davies (Vancouver East, NDP): Bonjour.

Thank you very much for coming today. It's been very interesting to hear your testimony, particularly on the impact on local communities, because that is very much a part of what we're trying to study and look at recommendations on.

It seems to me that the debate is not so much whether prostitution is good or bad. It exists. Whether the law is there or not, prostitution exists. The question that I think is more difficult is what is the impact of the law, and is the law, the Criminal Code, contributing to the harm that's taking place or is it minimizing the harm that's taking place?

I represent East Vancouver, where we've had some very serious problems from the point of view of both the sex trade workers and women on the street, who I think would argue that they have been very harmed by law enforcement, and local communities that have been impacted on by street prostitution.

The question I have for you is whether you believe the status quo is adequate, not just in terms of the law but also in terms of other

services. I've been surprised that a number of you seem to be saying that the status quo in terms of the law is adequate.

I'm particularly concerned about the communicating law, that it does contribute to the danger these women face. So I would like to ask you whether or not you think the communicating law should be reformed, or repealed.

Secondly, it seems to me that one of the solutions is enforcement, and it can be done only if you involve massive police presence on a sustained basis. Is that a realistic option? For how long can you do that?

Then, moving the street solicitation problem to another community, which is what happened in Vancouver many times, from one street to another, from one neighbourhood to another... We had court injunctions saying you couldn't go to one area, just as you have in Montreal, and then the street trade would go to another community.

So yes, enforcement can work. If you put enough police out there, enforcement can work. But then what is the overall impact of that?

So my question is really getting at the status quo and whether or not there are changes or reforms that need to be made in the law.

You have argued for decriminalization for the prostitutes, but it seems to me we need to be looking at safety from the point of view of both the community and the sex trade worker.

[Translation]

Mr. François Robillard (President, Association des résidents et résidentes des Faubourgs de Montréal): I must tell you that we are not legal experts, Ms. Davies; rather, we are a sort of neighbourhood experts. It could be reasonably concluded that measures to control, prevent and provide services to street prostitutes are all necessary.

I fully share Mr. Viger's point of view. With respect to Section 213, I think we must keep this necessary tool, as well as police action. From our experience, the resources of the police are relatively limited. In 1990 and 2000, almost nothing was done under Section 213. Absolutely nothing was happening. The police got involved when people began applying pressure. We cannot say that this reduced the violence faced by prostitutes. We need a combination of prevention measures and services for prostitutes.

Some people claim that the sex trade is a profession as well. I understand this view, which is entirely pragmatic. However, the fact remains that if Section 213 were eliminated, we would have the equivalent of bordel on the street—I apologize for this expression, which I would not know how to translate into English. Section 213 and the police should continue to take action when things get out of hand so as to at least maintain order and some quality of life. At the same time, services and preventive social measures should be made available for prostitutes, such as health care.

The City of Montreal has developed a strategic action plan for street prostitution. It raises some social and medical issues, as well as the quality of life in the neighbourhood's concern. Unfortunately, no municipal representative is here this morning. So the effort will not involve just the Criminal Code and the police, many of the initiatives should involve prevention activities with young people.

You say that prostitution will always exist. We agree that this is so. Domestic violence and heart diseases will always exist as well, but that does not mean that they are desirable and necessary or that we should not take various types of action to try to alleviate these problems.

In this regard, we think that Section 213 must be maintained. However, there are many other things that should be done. Unfortunately, as in many cases, the federal government has the money. But it is the municipal and provincial governments that will have to earmark additional resources for such initiatives.

• (1005)

The Chair: Mr. Leclerc.

Insp Mario Leclerc: That was a very interesting comment.

We would like to preserve the legislation but we feel that the legislation alone is not enough. We need support mechanisms such as police action, health, and social development programs.

I agree with you to some extent on the communications act. We are currently prohibited from disclosing personal information unless the person in question gives her consent. I wonder if we could find ways of providing information to health organizations in the case of individuals in serious personal situations. Perhaps rehabilitation measures could be developed. That could be useful but there has to be the will to do it. That is a process these boys and girls have to go through. Under the communications act as it stands, in order to provide information to health services, we have to use tools such as the forms that authorize us to provide this personal information, and that must be signed by the person involved.

In terms of services provided, we have already realized within our own services that a follow-up is necessary. Currently, there is no follow-up for these people in terms of health or other regular services. They often do not even own social insurance cards. We are now considering various tools, along with our colleagues in social and community development. The idea is to do case management in order to provide to those people who wish to receive it, more specific support that is geared toward social rehabilitation. I think this is a very interesting idea and I absolutely agree with you on this. However, we must preserve this legislation because, as Mr. Robillard said, it is the only tool we have to work with.

Mr. Raymond Viger: That is why the debate over the legalization of prostitution is so misleading. Street prostitution accounts for only about 5% of all prostitution. An international network accounts for the remaining 95%. We do have legislation. If we eliminate it, criminal organizations with lots of money are going to create chaos in our society—all because we wanted to help 5% of the people involved.

We cannot proceed from the top to the bottom. We need to start from the bottom, intervene and be present among these individuals in order to increase security. We must not forget, however, that 95% of all prostitution is controlled by criminal organizations who will benefit from the elimination of these laws.

The Chair: Ms. Connat, you have the floor.

Ms. Agnès Connat: When I spoke earlier, I mentioned that I had experienced a situation without the protection of section 213 of the Criminal Code because that's all it was. It wasn't official but that's

how things were on the street. It was hell. And speaking of violence, perhaps you should do some research and find out whether or not there was less violence in our neighbourhood around the year 2000.

I would honestly be very surprised if there was less violence in prostitution. We experienced it and it was not a good experience. Section 213 probably does not let prostitutes take their time but it does protect the rest of the population. If I could go back in time, I would leave that neighbourhood. However, the people living there in social housing won't leave. They will all be stuck with this. To complete your research you could go—

I've had kitchen meetings and meetings in community organizations. I've seen old people and mothers in tears over the consequences of street prostitution and the sale of narcotics on their street corners, because these both go hand in hand. It's terrible. Let us suppose that eliminating this section and allowing unrestricted street activity puts an end to violence against prostitutes—which I doubt. What kind of life does that mean for those living where prostitutes are working?

Unless you decide to create specific areas where prostitution will be allowed—and I don't think that's a good idea either—then it will take place in neighbourhoods and on the streets. As I have already stated, in the case of Montreal, prostitutes won't head for the streets of Outremont. They will choose streets and neighbourhoods such as ours, neighbourhoods that are less organized and less privileged. I'm repeating what is already been said but there is more.

You can't forget the john. If you're going to review the legislation, you must not forget the issue of demand. This is very important. Using a woman for sexual purposes or using a boy—because boys are also used—is not taken very seriously. The client does not see this as a serious issue, and he often has a perfectly clear conscience.

I think Rose Dufour raises this in her latest book. When the client is told that the prostitute he just paid hates him and hates doing this, he often replies that he thought she liked it and that she did it for her own pleasure. Obviously she is not going to tell him that she hates him and hates having sex or a relation with him. It's normal for her not to tell him. So we must not forget the client.

• (1010)

[English]

The Chair: Ms. Connat, I think we'll have to move on.

I would ask that the responses be a little briefer, so we can continue the rounds.

Madame Fry.

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

I'm going to pick up where Ms. Davies left off, because I think that is at the crux of what we are trying to do here and are trying to understand. As you well know, prostitution is currently not illegal in Canada, so when we talk about legalizing prostitution, I really have no idea what we're talking about. What is obviously illegal is the soliciting part of it.

Many of us have heard from many witnesses who have suggested that the solicitation part of it—the prostitute's fear of being arrested—makes the prostitute, especially on the street, leap into whatever waiting car there is without thinking, because she wants to get that piece of the transaction done as quickly as possible. She doesn't take the opportunity to be able to ensure that she's safe, and there is no one there to make sure she's going into a car, taking the address or the licence plate, etc. So she's actually out there in a car, and that's where the huge risks are lying. So that's one of the pieces.

One of the things we are looking at is how we deal with the issue of safety currently. I think Monsieur Leclerc said very clearly that this is a continuum. Everyone has talked about prevention. Obviously this is a key part of it. There is prevention. In everything, we try to prevent. How do you prevent sexual abuse of a small child who runs away from home, eventually gets on the street, and is exploited? Therein lies an extremely difficult question to answer.

One can talk about poverty. Yes, that's something we can deal with, but is that the only preventive measure? So let's talk about prevention. I've heard about it, and it's good. It's important to go into the schools and all of that, but how do we deal with the current woman on the street who is being exploited? If you're criminalizing someone who is being doubly exploited, first it's because in many cases she's a drug addict or is very poor and has no choices, and she has to do this, and then you criminalize her for doing something she has no choice in.

Let's talk about the people who are currently there, the women who are currently prostitutes. Prevention deals with people who are coming down the pipe, who may become prostitutes. But I want to talk about the people who are there. How do we ensure that they are safe, from the standpoint of both health issues and in terms of issues of violence? How do we deal with them?

As the second piece, obviously we need to look at women who want to get out and who are capable of getting out. How do we give them the tools they need to be able to get out of there and have real choices in terms of finding other work to do?

It's not a simple answer, and what we are looking at currently is not only the safety of the prostitute or the diminishing of or the dealing with the one that is illegal—which is the commercial sexual exploitation of children and youths—but how we actually deal with the safety of the communities in which they work. Witnesses have told us that it's not an easy answer.

As Libby said, when you move people from one area to yet another, you do it because every resident doesn't want to have prostitutes on the street corner. Madame Connat made it very clear—and she's right—about the dangers to children and to women who live in the area, etc. But we've heard that every time you move women out of residential areas and into industrial areas where there is nobody at night, you increase the risk for the women on the street.

These are some of the questions that make the answers very difficult. But at the moment what we want to do is talk about how we protect women who are at risk, how we protect the communities within which they live or work, and how we deal with the fact that at the end of the day there may not be a totally 100% preventive route,

in that there will be women—and we cannot ignore these women—who may eventually choose to go into this.

Again, I think Monsieur Viger talked very much about the woman on the street who charges \$10 an hour and the woman who charges \$700 an hour. Is there a difference in the way these women live? Is there a difference in their risk factors? We need to understand all of these things if we're going to deal with the problem.

• (1015)

The Chair: *Monsieur Robillard.*

[*Translation*]

Mr. François Robillard: We are some of the people suffering the negative impact of this. We are also human beings who were sensitive to this. Finding a solution is not easy. As you so clearly explained, under section 213 of the Criminal Code, soliciting is a crime but prostitution itself is not. It's a little hypocritical but that is the method our lawmakers chose in their wisdom in an effort to maintain order in the streets. What other measure can we use? If that section is repealed, then how will we be able to regulate when there are five, six, ten or twelve prostitutes on a residential street?

It's not easy. On the other hand, it's important to realize that prostitution, particularly street prostitution is a violent profession. There are violent professions. There are dangerous professions. You mentioned earlier that some people who practice this profession do so by choice. If they do so by choice than they have to accept a certain amount of violence on the part of the john and on the part of their drug dealer. This isn't an ordinary profession: it involves violence and danger. Some professions are dangerous. Construction is dangerous. How do we resolve this?

You say that prevention is good, but if there isn't really a will to discuss prevention, then let's face the issue: what do we do about violence? Should we be educating the pimps on how to work with their prostitutes? Should we be educating the clients on how to be respectful with prostitutes? That means a lot of resources for many things. Meanwhile, our schools lack occupational therapists, speech therapists, and more.

Consider what resources will be used for street prostitutes who represent only 5% of the sex trade and who are victims of violence in a trade that is inherently violent. I realize that we need to be sensitive to this but there is no easy answer. Something must be done. We are not legislative experts. Should prostitution be decriminalized? If we do that, street prostitutes will still be viewed as street prostitutes. Decriminalizing prostitution or repealing section 213 won't change that much.

• (1020)

The Chair: Ms. Matte.

Ms. Diane Matte: I am one of the rare people around this table who think that the current legislation on solicitation should be struck down. I do expect the government and the subcommittee however to examine these issues in a much broader and comprehensive light. It is all very well to say that you will attempt to increase security for women who practise street prostitution by providing support, the best possible services, to accompany them from point A to point Z and so on, but that is only a small part of the total picture.

I think that rather than strictly looking at the impact of solicitation legislation on communities, we should consider the impact of prostitution on equality of women in Canada and throughout the world. That would be one possibility. Obviously that requires more time as well as perspective. In such a study, connections have to be made, lines have to be drawn between smaller points in order to prove that there is in fact a problem that extends far beyond that of the safety of women prostitutes.

Currently, despite some police forces trying to focus on the johns, the majority of the people in prison or paying fines are the women involved in prostitution. They always suffer the highest penalties for the work they do. So this does not meet their practical needs or the needs out there in general. It's true that one may suppose that those who are also drug addicts will also be the ones to more readily and more secretively accept propositions in order to get the cash they want.

Our fear now is that the Canadian government is going to create a legal vacuum by either repealing solicitation legislation or, even worse, by legalizing prostitution. I'm aware that the subcommittee is considering a trip to Holland to see what they have done there and I am concerned about this. The committee never mentioned Sweden, where a broader approach has been taken. To my knowledge, the subcommittee does not intend on travelling to Sweden or even reviewing information on Sweden's approach, or that of South Korea's, for example.

[English]

The Chair: Madame Matte, I'll have to ask you to wrap up, please.

[Translation]

Ms. Diane Matte: Yes. In South Korea, the focus has been on demand, that is the johns and the pimps. What is important in my opinion is that we not only deal with one small part of the problem. We must use the right tools in order to take a much broader view of the impact of prostitution on women in general.

[English]

The Chair: Monsieur Viger is next, and then Monsieur Leclerc.

[Translation]

Mr. Raymond Viger: It was pointed out that prevention is not a short-term solution to the problem. That is absolutely true. That is why budgets for prevention have to be increased and that is my third recommendation. My second recommendation is that more money be provided for direct intervention for those people affected by prostitution. That has to happen even before prevention if we're going to solve the problem in the short term.

Intervening means working with people who are not there by choice, helping them to be rehabilitated, training them. There are programs for marginalized youth under which they are hired for six months and given work and support. The same has to be provided for individuals on the street who want to get out. They need to be given the means for getting off the street. That requires a budget. When I say budget for the purposes of intervention, I'm talking about money being provided for defining their needs and helping them. Currently, the pimps are often the ones who ensure the safety of those working on the streets. Without them, violence against

prostitutes would increase. We also need to work at that level, and slowly dismantle the pimp-drugs-prostitute chain. Social workers could offer alternatives. But that requires a budget. Therefore, I'm talking about a standing committee on prostitution that would look at what could be done right on the ground and would suggest practical alternative solutions.

• (1025)

The Chair: Mr. Leclerc.

Insp Mario Leclerc: I personally agree with you about the legislation not stating that prostitution is illegal. There are some interesting possible solutions. We mustn't lose sight of the real bad guys. We must not forget that organized crime is profiting from this.

Second, the studies to date on prostitution are not very well researched. Some cases have been raised, cases in Sweden for example, but you must not forget that Sweden took a global approach. Relationship between men and women underlie the philosophy that is being used to deal with this problem. Explanations are provided to children on the sexual path they're embarking on, seduction, risks, and so on. Violence within sexual relationships has now reached record levels. Conventional pornography is no longer enough. That is what has happened.

We have to set the record straight. We have to affirm that using children for sexual purposes is unacceptable. According to one set of statistics, in Montreal, 76% of sexual violence against children occurs within families; street gangs are responsible for 24%. Perhaps that's neither here nor there but we must take a more comprehensive approach. Repealing legislation that constitutes the only way we have of intervening will not solve anything. It will only make matters worse: we will no longer be able to obtain statistics and group data.

I think one of the solutions lies in researching more comprehensive methods that take a relations-based approach. However, for our purpose, it is absolutely essential to have legislation that allows us to intervene.

[English]

The Chair: Just as a comment, we are aware of the Sweden situation. We are certainly looking for more information on it.

Thank you.

[Translation]

Mr. Réal Ménard (Hochelaga, BQ): Mr. Chairman, I am somewhat surprised by the statements made by Mr. Viger and Mr. Leclerc. I think that some points have been confused.

First, there's very little sexual trafficking in Canada. I don't think that the Toronto police, the Vancouver police, the Montreal police, the RCMP, or the Criminal Intelligence Service of Canada are able to provide us with much in the way of statistics on sexual trafficking. One should be very cautious. This phenomenon is only beginning to emerge. We have a small amount of information on this. I don't believe that in the Hochelaga—Maisonneuve and in the south-central area, there are boys and girls belonging to international networks. I'm sorry but international trafficking is an epiphenomenon with respect to the reality in our neighbourhood.

Second, Mr. Leclerc, if you have those statistics I would like you to table them. If I am not mistaken, your actions with respect to prostitution and solicitation—that perhaps should be called “communication”—have been taken under municipal by-laws. I do not believe that the Criminal Code allows you to intervene in this area.

I'm not convinced by your plea for the status quo. As Ms. Matte said, the first thing that the federal Parliament should do is adopt an anti-poverty law. I have tabled two such bills, but that's a whole other debate. Furthermore, we can't wait for anti-poverty legislation in order to deal with the issue of prostitution. I'm sorry, but we also cannot restrict the issue of prostitution to that drug addiction. There are individuals who are absolutely not drug addicts who are prostitutes. Mr. Viger is very familiar with end-of-the-month prostitution. Mothers ssuse it. There are many kinds of reality. I'm not saying that some connections can't be made, however we cannot reduce the issue of prostitution to one of drug addiction.

I have three questions for you, Mr. Leclerc. First, I'd like you to describe the average john to us, according to what your police services know.

Furthermore, you and I have been in Hochelaga—Maisonneuve for a very long time. I would like you to explain in what way the status quo, that is the repressive measures found in the Criminal Code, helps deal with the problem of street prostitution in Hochelaga—Maisonneuve. Perhaps Mr. Viger would also like to comment.

This morning, I would have expected... I'm not saying that we should decriminalize, but I am somewhat surprised by your repeated calls for preserving our legislation on solicitation. I must admit that I am disappointed that alternative solutions aren't being considered. We have to stop comparing ourselves to Holland. There are other countries—New Zealand, Australia, Germany—where decriminalizing prostitution has led to some positive results.

Those are my first two questions. Can you describe the average john? Can you confirm that we cannot draw conclusions on sexual trafficking? This phenomenon is not evident to our law enforcement authorities.

Third, Mr. Viger, how will the status quo, in terms of the Criminal Code, practically help sex workers?

• (1030)

The Chair: Mr. Leclerc.

Insp Mario Leclerc: Mr. Ménard, I will answer the two questions you asked but I would first like to say that we, and the committees that we sit on with the RCMP, agree with you in that international sexual trafficking is in its early stages. We do not have a complete picture of the situation but we do have our doubts. We are currently setting up a group on immigration. We have already had three working group meetings and researchers have been helping us on this issue.

Furthermore, let me just mention the arrests that we made last year. We used section 213 of the Criminal Code to arrest prostitutes and their clients. We did this in 1,079 cases last year. We arrested 1,079 clients under section 213.

Mr. Réal Ménard: Did you use municipal bylaws?

Insp Mario Leclerc: Offences under municipal bylaws are not included in those statistics. In some cases, we need to impose fines for disorderly conduct in parks. Those tickets or fines are handed out in the parks.

Last year, we arrested 258 clients. These people come from all kinds of background. We collected statistics on their place of residence. Ninety per cent of them came from outside this zone.

Mr. Réal Ménard: These are people who come from the area code 450 zone.

Insp Mario Leclerc: Sometimes, but there are also people from outside that zone. There are clients from the island of Montreal, but who come from outside the area called Hochelaga—Maisonneuve and eastern downtown.

In terms of the clients, I will say again that over the past few years, we have handed out 1,600 arraignments under the Cyclope project. This project gave us the opportunity to investigate clients who had been solicited by prostitutes. The repeat offence rate was only 1.6%. Eight customers reoffended, including one who did that four times.

Mr. Réal Ménard: Before listening to Mr. Viger's answer, I would like to have an exchange with you on this subject.

In our area, the johns are a problem. You say that there are very few repeat offenders. The johns who hire prostitutes on Alexandre-de-Sève, Bennett or Moreau streets, in our neighbourhoods, often come from elsewhere. This may be a generalization, but there is some truth to it. Some of the johns come from the 450 area code region. I'm not judging these people, but they don't get up in Hochelaga-Maisonneuve in the morning and go back to bed in the same neighbourhood. They also come from other neighbourhoods in Montreal.

If you say that there are few repeat offenders, what can you tell us about those who do availed themselves of the services of prostitutes? We see johns every day. This means that even though you don't identify them as being repeat offenders, they can, in fact, still be repeat offenders.

Insp Mario Leclerc: If you want to describe a typical john, you can say that is just an ordinary Joe. We couldn't tell you whether they have any particular problems, but the johns we arrested while on the job were just regular folk.

Mr. Réal Ménard: They are basically people with white collar jobs who have strong sex drives.

Insp Mario Leclerc: In some cases, we have sent the johns to sexologists. Some of them have more serious problems, like the fact that they cannot otherwise get a girlfriend or...

Mr. Réal Ménard: Is there a typical john?

Insp Mario Leclerc: Not really.

Mr. Réal Ménard: Mr. Viger, let me tell you from the outset that it will be a pleasure to listen to you.

Mr. Raymond Viger: Good morning, Mr. Ménard.

I will try to answer in a few minutes a question on which I would love to write a book.

First, sex trafficking is different from street prostitution; it involves other people. However, if you change the laws on sex trafficking, organized crime will take advantage of the opportunity. Already in 2003, the United States accused Canada of being a hub of the female sex slave traffic. That would only get worse.

As for people aged between 15 and 65, I've often seen both extremes. You might have a grandfather who is a widower and few relatives. He might be a regular client, very respectful of the sex trade worker, a bit shy, but nevertheless a regular client. On the other hand, a young person may hire a prostitute for his first sexual experience. In some cases, it may be a gang bang. The johns range an age and include every personality type. They don't have "johns" stamps on their foreheads. I know of journalists and politicians who availed themselves of the services of prostitutes.

The status quo is not the ideal solution. In fact, in our opinion, if you remove the existing legislation, it would be even worse. So, in the meantime, we have to work with what we have. Otherwise, street prostitution will double, triple, even quadruple. That's the problem.

You talked about positive results in Australia. However, Mr. Poulin and Ms. Geadah studied the Australian situation and realize that many cities experienced a lot of problems when the legislation was adopted.

• (1035)

Mr. Réal Ménard: I don't want to hear about Mr. Poulin.

Mr. Raymond Viger: Fine, I'll take back what I said, your honour.

Mr. Réal Ménard: We have the Immigration and Refugee Board. Just between us, the organizations responsible for enforcing the law don't have this information. So how can community groups meet with you to talk about sex trafficking? I asked someone, whose name I will not mention, but who is close to us, to do some research, which took two months. But we don't have any figures on the sex trafficking business in Canada. We only have very tentative figures. If we have them, I would like them to be tabled. Colette Parent, along with Ms. Bruckert, received a mandate for the Solicitor General, but it's all very new. So, let's not confuse sex trafficking with street prostitution. I'm not saying that we should not be concerned, but that we must act on the basis of hard data.

I'm sorry, I did not mean to interrupt you.

Mr. Raymond Viger: That's fine.

In any case, if we want to solve a problem, we have to intervene on the ground. We won't solve the problem by rescinding legislation. The status quo is the lesser evil, which is why it is important to create a standing committee to see whether it is even possible to pass new legislation. But the starting point has to be actually going on site and being on the street.

Mr. Réal Ménard: With street workers.

Mr. Raymond Viger: With a lot of street workers, but also with bigger budgets, since it's not just a matter of exchanging needles and distributing condoms. We have to be able to help these people, to give them information, to provide them with the tools of the trade, and providing them with other options than prostitution.

The Chair: Ms. Matte.

Mr. Réal Ménard: I think that Ms. Matte wants to intervene.

• (1040)

The Chair: Ms. Matte.

Ms. Dianne Matte: I can't help but react. I find it interesting that you use the expression "regulate prostitution". That's our mandate: we will solve the problem of prostitution and move on to something else the following week. Well, I have news for you. You won't solve the problem of prostitution. That will only happen when people examine more closely the relationship between men and women and the issue of sexuality. Let's be clear: only when that happens will we perhaps be able to say that things are changing.

I haven't heard any speech or seen any research on the issue from that perspective in Canada. Studies are often based on a very specific situation. For instance, there have been studies on sex trafficking coming from Eastern Europe into Canada. The studies are very narrow. The issue is sex trafficking. It's true that we may not have 40 copies of data on the reality of the international sex trade, but we also have to realize that it may be a domestic problem. I believe that there is enough information to show that even within Canada women are moved from one place to another, in particular native women, who are brought down from Northern communities to places where there is street prostitution, and also to massage parlours and other such places. When you talk about global sex trafficking, you are limiting its definition. Sex trafficking is much more than that: it means to take ownership of a person and getting her to move by means of deceptive measures, by offering her something, or even by kidnapping her.

Some people have said that decriminalizing prostitution yielded positive results. I find it interesting that you questioned Mr. Poulin's figures. However, you are ready to agree with figures which seem to show that the problem has been solved in Australia and the Netherlands, and that there is now less violence against women in those countries.

In my humble opinion, there are currently two trends which are moving in opposite directions. On the one hand, there's a trend towards the complete decriminalization of the behaviour of pimps and johns, in other words, the decriminalization of the sex trade at the international and local levels. The sex trade is growing rapidly. With globalization, the sex trade is growing and has increasing needs for fresh meat, as someone said earlier. On the other hand, some organizations say that society has to make choices which go beyond regulating street prostitution because it's a problem and people don't like watching street prostitutes give blow jobs to clients on street corners. I think there is a much deeper reality at the local, national and international levels, and I think we have to really listen.

Mr. Réal Ménard: May I ask a final question?

[English]

The Chair: *Monsieur Leclerc* is next, and then Madame Connat. The final word will go to Monsieur Ménard.

[Translation]

Insp Mario Leclerc: Perhaps we don't have any complete statistics on international trafficking, but in our opinion, when young girls are given drugs and are forced to prostitute themselves or dance in clubs against their will to pay back their debt, that's also sex trafficking. That's the strategy which organized crime presently uses.

If the legislation was amended so that solicitation is no longer a summary offence, but a hybrid offence, that would help us get more information on who the girls are and where they come from. It would give us tools to identify them when they come from overseas. As it now stands, we have a problem. We don't have any fingerprints or any other way of identifying who these girls are.

The Chair: Ms. Connat.

Ms. Agnès Connat: Is a prostitute a criminal? No, I don't think so. Do some women become prostitutes by choice? It's possible, but I think we could ask them not to work on the street even if it's their choice. I think we have to first make sure that these women have other choices. You talked about legislation on poverty, and that's essential. These women can be helped. We have a responsibility. As Ms. Matte said, we are a northern hemisphere country which is a model for many other countries. So at no point should we say that prostitution is acceptable, not from a social point of view, but as a way of earning a living when the sex trade worker does not have any other choice.

It's true that a street prostitute may not always be a drug addict, but in my experience, most prostitutes are drug addicts. Organized crime controls the drug trade. If I belonged to a criminal gang and if, tomorrow morning, any girl or boy was allowed to solicit johns on the street, I for one would be very pleased that you rescinded section 213. It would be very good for my business. I could tell other people that all they will have to do is stand on a street corner, close their eyes and ears, and that they would earn the \$20 they need to pay for their hit. We have to think twice about what we want to do. You cannot give these people the means to make even more money.

The Chair: Thank you.

Mr. Ménard.

Mr. Réal Ménard: Thank you, Mr. Chairman. I know very well that we are not going to solve the problem of prostitution. My position is a little more subtle than that. I've been interested in this issue for 12 years and I never said such a thing.

Second, when native women are brought to different places, that's domestic trafficking. It's just as reprehensible, but it has nothing to do with the international trafficking. You have to be able to distinguish between different situations and develop opinions based on the data which is available.

There's also no doubt that organized crime benefits from prostitution. Would it be possible to ask for law enforcement organizations to produce information they have on pimps? The girls who walk the streets claim that the definition of pimp has changed. I think that it's a different take on the same problem. Nothing indicates that the pimps operating in the Hochelaga-Maisonneuve area and in the Centre-Sud are related to organized crime figures. Drugs are another issue. The reality of pimps, those who are with the girls and who protect them in our neighbourhoods, represent a reality which has more to do with a lower level of crime. It does not make the crime anymore acceptable, but I think that you have to distinguish between the various facets of the issue if you want to understand the phenomenon.

Mr. Leclerc, your organization is responsible for enforcing the law. What do you know about pimps?

[English]

The Chair: Ms. Fry would like to comment.

•(1045)

[Translation]

Mr. Réal Ménard: I am pleased... [Inaudible—Editor]...

[English]

The Chair: The session is about to conclude. We can't go through another round of questioning.

Ms. Fry, you have the final word. Be very brief, please, we have to move on.

Hon. Hedy Fry: I asked a question in my first round and I don't know if it was really answered. It is at the heart of what we're talking about here. Madame Connat seems to have a view that I am following on, because it also happens to be my view.

The point is that when we talk about women and women's rights, we also need to talk about women's right to choose. We also need to talk about the safety of women on the street, especially because we know that women on the street are at higher risk. I asked about that, and in every instance, with the exception of perhaps Monsieur Leclerc, I got this sort of yes, but...as if we've once again marginalized those women on the street. We talk about them as if we care, but we marginalize them. We marginalize what they do, and we moralize on it. We say it is not an acceptable thing to do, yet we talk a lot about women's right to choose.

I'm suggesting that if we want to discuss these women on the street, we need to find some way to assist them and protect those who are at greatest risk. If they wish to stay in that particular profession, we need to decide how we can make that profession as safe, legal, and regulated as possible. So there is a safety factor in terms of health and all of the other issues. But if women want to get out of that particular profession, we need to assist them to do so with the tools they need.

I would really like to hear someone talk to me at the moment about the safety of women on the street. I really need us to talk about these women as if they matter, as if they're human beings, and as if they have rights.

The Chair: Does anyone wish to respond for 30 seconds?

Ms. Diane Matte: That's impossible.

The Chair: Perhaps, Ms. Fry, you could speak with Madame Matte as we take a recess.

[Translation]

Ms. Diane Matte: No, but at the very least I have the right to question the prevailing idea.

Today, certain groups are lobbying in favour of legalization and decriminalizing prostitution, and for prostitution to be recognized as just another job. They want us to believe that there is such a thing, that women have the right to work as prostitutes. But before we even accept this idea, let's begin by looking at existing human rights and find out exactly whether women in Canada or throughout the world have these rights. Only then should we begin to address this subject or refine certain rights.

I think that we must ultimately look at prostitution, sex trafficking, the issues of criminalization and decriminalization from opposing points of view of individual rights and collective rights. In other words, if I choose to sell my body, I have to ask myself whether my right to sell my body is more important than the right of women to live in an environment in which their human rights are not violated, and in which they are harassed or subject to violence. I imagine that you are confronted to the tension which exists between individual rights and collective rights on a daily basis.

Some women have said—and I don't really believe this—that they chose to become prostitutes and demand that their choice be perceived as being their right to do so. However, I think that we should begin by studying the situation of women whose human rights are being violated in Canada and throughout the world today.

[*English*]

The Chair: Ms. Fry, perhaps you could speak with her after the meeting.

Hon. Hedy Fry: Mr. Chairman, I don't want to ask a question. I would really like to get my answer about protection, and I hoped that the person to answer that would be Mr. Leclerc. I still haven't got my answer, that's all. I mean, we can debate why until the end of time, but I would like to get an answer.

The Chair: Mr. Leclerc, you've got a minute. Then I'm going to give you the gavel.

•(1050)

Hon. Hedy Fry: He can do it in a minute.

[*Translation*]

Insp Mario Leclerc: If we really want to make sure that sex-trade workers are safer, and if we really want to find a solution to this problem, all stakeholders, whether they work at the community level, in the field of healthcare or in other areas, would have to sit down together to honestly discuss the issue of street prostitution. That way, we could collect information and, furthermore, it would create a certain degree of momentum in a neighbourhood.

I could add that in most cases, people are not afraid of lodging a complaint or even of approaching us. That's how we get a lot of our information.

As for Mr. Ménard's question, I would have liked to respond to it, but...

[*English*]

The Chair: Thank you very much to the panellists this morning. We've been a little more lenient with the time, simply because it's important we get as much information and as many viewpoints as we can. I thank you for your input. It has certainly been enlightening for us all around the table. Fortunately Mr. Ménard hasn't been with us for the whole tour, or we'd never get through it.

In any event, I'm going to suspend for five minutes while the individuals with comments come forward. Thank you.

•(1051)

_____ (Pause) _____

•(1059)

The Chair: This round is for individual presenters. Ordinarily we speak for approximately two to three minutes and there are no

questions. Just give us your opinions. We must conclude this round at 11:30 a.m. If we still have time, perhaps we can have some quick questions back and forth with the members of Parliament.

Our first participant is Lise Béland.

•(1100)

[*Translation*]

Ms. Lise Béland (As an individual): Good morning, Mr. Chairman, good morning, ladies. I have had almost no voice since Sunday, but I have enough of a voice to tell you that I disagree with street prostitution.

I would like to provide some clarification before I begin.

First of all, I read your news release. Your main mandate is to study solicitation laws in order to improve the safety of sex-trade workers and to recommend changes that would reduce the exploitation of and violence against sex-trade workers.

Your news release does not mention us, the residents. I am here this morning in response to that. I am here as a resident who is a victim of street prostitution.

I have some more criticisms for you. I called several members of the Association des résidents et résidentes des Faubourgs de Montréal, my residents' association, and they all told me that they had a family to feed, that they were working and that they could not be here. I am disappointed that you did not organize evening sessions to enable residents to provide you with their opinion of prostitution.

I was one of the cofounders of the Association des résidents et des résidentes des Faubourgs de Montréal in April 2000. I clearly remember that on March 14, 2000, the sociologist Daniel Sansfaçon was hired by the City of Montreal to tell us that the prostitution in our neighbourhood was local prostitution. Figures today showed beyond a reasonable doubt that is absolutely false. Prostitution in the Centre-South district is not local prostitution. People from outside our district and our zone come to our area, to our neighbourhood.

One of my colleagues works in a CLSC. This morning, he had to bathe one of his clients, between 10:30 and 12:30. He cannot be here this morning. He would have liked to appear before you. This man is familiar with the problem from the inside, because his sister is a prostitute. He is also familiar with the problem from the outside, because he sees what happens on his street, and he is also a victim of organized crime in some respect.

Another one of my colleagues is also a victim of organized crime. He lived beside the Rock Machine bunker. He would have liked to appear before you, unfortunately, he cannot be here this morning due to family obligations.

I would like to tell you about the devastation that is caused on some streets in my neighbourhood. I am going to tell you about some people. I am even going to name them, because I have their consent.

One of these people is Marguerite St-Pierre. The wall of her house was adjacent to the Charles-Mayer park, which is used by prostitutes. Some people even wanted to rebaptize the park Marie-Madeleine. Fellatio and other sexual services were being offered in front of her door. Girls were assaulted. They knew that Marguerite was tolerant, and they would knock on her door to ask for her protection when they were assaulted. Marguerite grew up in the Centre-South district. She got married and had children, but now she has grandchildren, and she no longer wanted her grandchildren to witness violence on the street. So she moved; she went to another neighbourhood, and she lives in the east end of Montreal.

I am authorized to name another woman. Her name is Jocelyne Goyette. Ms. Goyette had lived on Visitation Street for decades. She was an active member of the Association des résidents et des résidentes des Faubourgs de Montréal. For a long time, Jocelyne demanded a ban on the use of Ontario Street by prostitutes, because children use that street to go to school. Jocelyne has a handicapped son, and prostitutes offered him sexual services. She was fed up; she sold her house and moved to another neighbourhood.

Two of my friends who lived in my neighbourhood, on Montcalm Street, were victims of threats and retaliation by drug dealers and prostitutes. They sold their house and left.

You cannot measure the level of violence, fear and psychological terror that we are subjected to. However, we know that street prostitution is controlled by organized crime. In May 2000, when we prepared the march on June 11 for the Association des résidents et résidentes des Faubourgs de Montréal, we spent entire evenings in debates. There were 27 people involved. We wondered if we should put "No to street prostitution. No to drugs on our streets" on our binders. We trembled in fear. We finally put "No to drug dealing on our streets" on one of our posters.

•(1105)

We knew, empirically, that organized crime was in control of our neighbourhood. But one day, there was a trial for a very well-known criminal figure, Mr. Mom Boucher, the leader of the Hells Angels. His informant, Serge Boutin, stated loudly and clearly that he had created a network for Ontario Street as well as three parks, Charles-S.-Campbell Park, Espoir Park and Émile-Gamelin, Park, and that he had made more than one million dollars in a year.

When we talk about street prostitution, we are talking mainly about female prostitution, not male prostitution. I am grappling with male prostitution. Charles-S.-Campbell Park, which is wedged between St. Catharine Street, Champlain Street, René-Lévesque Street, and Alexandre-deSève, is used by daycare children in the morning. In the afternoon and evening, it is used for illicit activities. Fifty-four men have been identified and use this park as their home base for solicitation. So there are male prostitutes who masturbate in front of the Sainte-Brigitte Church. Just imagine the traffic due to clients driving around the park.

[English]

The Chair: Thank you, Madam Béland. I think I'm going to have to ask you to stop. You can submit your written brief to our committee. But in order to be fair to the rest of the panellists here,

again, we're restricted to two to three minutes. We've doubled that time right now.

For those individuals who would like to have appeared here, we accept written briefs. We'd ask them to write us. We'll give you a card from the clerk with the address that you can give to these people to write to us. But we're going to have to move on.

And we'd like your notes, if you would, please.

Ms. Lise Béland: You would like to have my notes?

The Chair: If you wish to give them to us, since we're having—

Ms. Lise Béland: Yes, but it's written *manuscrite*, you know. Maybe you will not understand it.

Mr. Art Hanger: Mr. Chairman, I have a point of order. I think this community input is extremely important to the committee. I get a feeling every time we go from one location to another that we're missing out on the most vital part of the information this committee has to evaluate, and that is from the very citizens who are impacted by prostitution and by organized criminal activity.

These notes that... I'm sorry, Madam, I don't remember your name.

Ms. Lise Béland: Lise Béland.

Mr. Art Hanger: These notes she has—and probably those of some of the other presenters here—are going to be vital, as far as I'm concerned, in this whole evaluation, and I want some guarantee that we're going to get this information right up front, with names, addresses, and phone numbers that go along with it.

The Chair: We've made the request. I can't guarantee anything, Mr. Hanger. If they wish to submit to the committee, we encourage them to do so.

Mr. Art Hanger: Yes, but there seems to be a link missing in our evaluation, and that is direct communication with the community. It didn't happen in the last meeting we had.

I think this has been one of the most dynamic of all the meetings we've had so far.

The Chair: I appreciate your comments, Mr. Hanger, but we have a process, which was agreed to.

Mr. Art Hanger: Understood.

The Chair: We have two- to three-minute presentations. We have exceeded that amount by 100%. In fairness to the other panellists, we have to move on.

Mr. Art Hanger: I take your words for their directness, yet you've included other witnesses in this—

The Chair: Do you mean questioners?

Mr. Art Hanger: Yes.

The Chair: And you object to Mr. Ménard being included?

Mr. Art Hanger: Well, in the sense that it was not included before, and the committee, as it's represented by three parties right now, will now be represented by an extra questioner, so....

[Translation]

Mr. Réal Ménard: Point of order, Mr. Chairman.

[English]

The Chair: You have a point of order, Mr. Ménard?

We're wasting time, I would point out for the members' attention.

[Translation]

Mr. Réal Ménard: I would like to remind to Mr. Hanger that parliamentary practice is such that all members may attend committee and ask questions after regular committee members. Mr. Hanger must be somewhat familiar with the Standing Orders. I am not a witness, but a member of Parliament. This is my city, and I represent the riding where this prostitution is taking place. So I invite Mr. Hanger to be a little bit more careful in his comments.

[English]

Mr. Art Hanger: And I would have to suggest, Mr. Chairman, that since it is now open for anybody to come and step into this side of it as a questioner, I would like to include a couple of my colleagues as well.

The Chair: Mr. Ménard is from Montreal. As a courtesy, we've allowed him to sit at the table. It is a practice that is done by other committees. When all the other questioning has gone on, then we allow...at least it's been my practice that we allow that individual to present questions.

In any event, I'm going to move on at this point.

Madam Béland, we would like your notes. Is your concern about the script? You could try to improve the writing, if you wish.

But in any event, we're going to have to move on. In fairness to the other panellists—

• (1110)

Ms. Lise Béland: Can I conclude?

The Chair: Yes, very quickly, please.

[Translation]

Ms. Lise Béland: I would conclude by saying that solicitation in public is definitely not compatible with residential areas. Street prostitutes and residents cannot live together harmoniously. We need to invest human resources, energy and money in prevention and social reintegration programs for both prostitutes and clients.

I am a social worker and I do not believe in the volunteer theory. Nor do I think that I am very mistaken by saying that many people here have taken some kind of therapy at one point, whether it be with a doctor, a psychologist, a sexologist or a social worker. It takes many months in order to make progress. However, how will a person who is completely strung out, whether it be as a result of cocaine or crack, voluntarily enrol in a social reintegration program unless there are some strong and coercive incentives in place? I am talking about getting these people off drugs and then providing them with support and therapy.

I am in favour of maintaining the current legislation and I am against street solicitation.

Thank you.

The Chair: Thank you, Ms. Béland.

Mr. Paul Boyer (As an individual): Good morning, sir.

We are talking about prostitution, and it seems to me that it exists in several forms. The fact that certain prostitutes advertise in newspapers and carry out their business in hotels or other places outside the view of citizens does not appear to pose any problem. The problem, therefore, is street prostitution, because it is carried out near us in our homes. I feel that if we refer to sex workers as ordinary workers, we run the risk of making this phenomenon seem commonplace.

The former regional system, the community groups, etc., took some steps to make sexual activities in our streets commonplace. For instance, one community organization urged us to set aside some street corners for prostitutes. However, according to my estimate, 90 per cent of the girls working the streets are addicted to drugs and therefore not in full possession of their faculties. This may be a value judgment, but the fact remains that they are supported by organized crime, the drug world and all of that. If you put all of that together it creates a real powder keg and the result is, as Ms. Béland was saying, that people are leaving our neighbourhoods. The social fabric is deteriorating because of this type of situation.

I would like to go back to this tendency to make this phenomenon seem commonplace. In my opinion, the girls are in the street not because they want to be there and not because they like doing that. I think that they are victims of society. To help them, we need to do something other than normalize the situation.

In my opinion, the mandate given to the community groups who look after prostitutes is not clear. Given their actions, one is led to think that they absolutely want to keep them in the street just so that they can keep their subsidies and jobs. That is my opinion. Perhaps you know that there are no street prostitutes working in Outremont or Westmount: they can be found only in the more modest neighbourhoods. This is something that should be explored. Indeed, there is no doubt more enforcement in Outremont than there is in our sector. Is it better there than in our neighbourhood? Prostitutes are not in our neighbourhood because their clientele is there; indeed, the clients come from elsewhere. So all the authorities, whether you are talking about the regional board or the governments, are guilty of being lax. They allow some things in certain neighbourhoods and prohibit them in others. I do not think that is fair.

Quite often, when I pull up to my house in my car, a girl takes me for a potential John. She will jump on my car, forcing me to lock my doors. I cannot even sit in my car and listen to end of the news on the radio without looking over my shoulder in case a girl tries to get in my car. There is something sick about this; it is as if the streets belonged to them.

I heard it said that the neighbourhood is being held hostage, and I agree with this opinion. There may be a hundred street prostitutes there. We are walking on eggshells, we walk with our eyes downcast, and we do not even feel like we are at home, and on top of that, half the time there is a pimp behind the girl. I find that intimidating and yet I am a man. The guy is there, with his hair slicked back in a ponytail, wearing his big leather coat with the Hells Angels symbol on the back. It is clear that these girls are being supported by these groups. If we do not put on a bit of pressure, we are going to be invaded and destroyed; the social fabric will fall apart.

I will conclude by saying that, in my opinion, we need a societal project in Quebec. The other types of prostitution do not appear to be causing problems, except for what you spoke about earlier, namely, sexual trafficking. In my opinion, the root of the problem is street prostitution. The other forms of prostitution are somewhat hidden and very tolerated. The police, who do not appear to be bothered by this at all, do not intervene. However, the fact remains that if we want to do something good in our society, it is especially important that we remain vigilant and that we do not allow this phenomenon to grow. Instead, we must give these street prostitutes the means to get out of this lifestyle, either by showing them how to read, write, cook or sew. We are talking about basic life skills. This is what they are missing.

That is all I have to say.

• (1115)

The Chair: Ms. Pruvost.

Ms. Catherine Prévost (As an individual): Good morning. I live in the neighbourhood as well, and I wanted to testify about what it is like when I leave my home and walk in my neighbourhood. We do not feel very safe. Women walking in this neighbourhood always have to deal with the same situation. Everyday, cars stop beside us, the windows go down and men look at us and wonder whether we are selling our services.

I own several houses. I live on Saint-André Street. When I go to Saint-Christophe Street, I take a little lane that runs along the park beside the day care, La Sourithèque. Every time I take this lane, just when I turn, a car which should normally go straight ahead suddenly turns into the lane when I do. Often, I move against the wall to let the car go by, but I then realize that the car is not moving. At that point, I feel cornered. I wonder what the person is going to do, what is going to happen. Sometimes the cars have tinted windows, and you cannot even see who is inside. In such cases, it is difficult to make a report to the Cyclope project, and to say that the driver of the vehicle did not harass me, but that he definitely created a situation in which I felt uncomfortable and unsafe.

I have a little girl who will soon be three years old. I am wondering whether I am going to stay in this neighbourhood, because I do not feel comfortable there. A nanny comes to look after my little girl, and I do not want her to go out with my daughter alone to the park near our home. There are simply too many things to watch out for: what my daughter might pick up, namely needles; whether anything is happening between the men who are there selling drugs, because sometimes there are quarrels and things get quite heated; and there are also girls in the park who are high on drugs and may have any sort of reaction. So there's simply too many things to watch out for. My little girl will therefore go to the park with me or with my husband when we go, but I cannot let her go with her nanny.

Ms. Béland may have taken more time than she should have, but she did speak for several people. I too could speak for several people around me. Every time my cleaning woman comes into my home, she tells me that a car stopped. My sister filed a report with the police, because she was really harassed by a man who followed her right to the metro.

Women who live in this neighbourhood and are not prostitutes have some trouble feeling safe. There is an unhealthy atmosphere there. That is mainly because of the men who come to solicit prostitutes. I think there should be increased penalties for men who come to the neighbourhood to solicit women.

Thank you.

• (1120)

The Chair: Thank you.

Ms. Pierrette Thomas.

Ms. Pierrette Thomas (As an individual): I wanted to testify this morning even though I moved on December 18, 2004, after living in my neighbourhood for 64 years. I lived on Alexandre-deSève Street, opposite the church. I saw things happening on the church steps every day. Young people were masturbating, and they were doing that for drugs. You might think it was a nice neighbourhood, because I lived opposite a church and there was a lovely park right beside my home. I have a grandson and I was never able to go to the park with him since he turned four. Why? Because the park is full of drug dealers, prostitutes and their customers and because the customers are all sitting on a bench around the wading pool. I deplore that fact, because wherever there is a wading pool, there are young children. In my opinion, in the gay district, there should not be any benches around wading pools. The guys are there in the morning as soon as the wading pool opens and they stay there. Often the very young children are not in their bathing suits when they arrive. Parents have to get them changed, because there are a lot of them. The guys are there, but they have no business being there.

As I often say, I have seen some sights. At the door to my church, there was a beautiful statue with outstretched arms. I always thought that if she could have folded her hands, she would have. The customers used to arrive in the morning. You get up in the morning, you open your blinds and you want to have your coffee. After less than 10 minutes, who do you see arrive? The male prostitutes. He watches the car go by, puts his hands into his pocket, and often caresses his private parts to show what he is looking for.

I made more than 150 reports to the Cyclope project, sir! There is a policeman here who could confirm that fact for you. It has become unlivable; at one point, a person can no longer stand it. At one point I told my husband that we had to do something, or else I would kill one of them. There is always a customer; there is always a prostitute; it does not just happen from time to time. People in the neighbourhood, in lower town, know that it has to do with drugs.

Last summer, before I moved, there was a young guy who was giving himself a drug injection right before my own eyes. It was 11 o'clock on a Saturday morning. He said "Go back inside, you old bitch". I replied that I was at home and that I did not have to look at him. It has become unbearable. It hurt me to leave, because I had lived in my neighbourhood for 64 years. I was baptized at the church opposite my home, and so was my son. However, I decided to leave. I am now living in the suburbs, and I can breathe; it is healthy there. I am not saying there is no prostitution in my new neighbourhood, but there is none right in front of my house, and they do not work around the shopping centre opposite my place, because no one loiters there.

I really wanted to testify before your committee. I have come from far away, from Sainte-Marthe-sur-le-Lac, but I decided I had to appear before you because I was chased out of my neighbourhood. Sometimes people tell us that if we are not happy, we should simply move. They wear us down in the long run, because ultimately we become disgusted and we leave.

The Chair: Thank you, Ms. Thomas.

I will now turn the floor over to Ms. Mélanie Caron.

Ms. Mélanie Caron (Community Development Counsellor, City of Montreal, As an individual): Good morning, Mr. Chairman and ladies and gentlemen of the subcommittee.

I work for the City of Montreal, but I do not have a mandate to represent the city this morning. However, I wanted to tell you that we are following your proceedings and that I am aware of the comments, the testimony and the process that is underway this morning. When the process is completed, the City of Montreal will be in a position to table a brief. I do not have a mandate to testify, but I wanted to tell you that we are present and that we will take the time to study the situation.

Someone mentioned earlier that the City of Montreal was not present. It must be said that the police services of the City of Montreal is also part of the City of Montreal's administration. The city will take a stand, but in order to do so, it must turn to the different services and its representatives in order for them to be able to work together. This explains our absence this morning. On the other hand, we are concerned with what is going on. This is the message I wanted to pass along to you.

The Chair: Thank you, Madam.

We will now move on to Ms. Pat Nowakowska.

• (1125)
[English]

Ms. Pat Nowakowska (As an individual): Hello, everybody on the committee. I just want to address some things that I've heard here today.

Much has been drummed out about prevention targeted mainly at drug abuse, but aside from funding being mentioned nine times by, I think, *Journal de la rue* and police enforcement being emphasized, nothing has been specified about increased solutions.

I have heard prostitution branded as a violent profession. To my knowledge, prostitution is the exchange of sex for money. I really don't know where the violence takes place in that model.

I have heard the reinforcement of the supply side of prostitution referred to as "fresh meat needed". I don't know if that was a misinterpretation, but I found that extremely offensive.

As for the status quo being named as the better of the two evils, I just remind everybody that this was provoked by what happened in Vancouver, something that involved murder on a mass scale. I don't know really what could be the worse of those two evils.

There is some missing information. Number one, it is questionable whether those gathered here are really representative of a community in which contact dancing is as much a signature to our milieu as smoked meat sandwiches are.

We are missing the point completely by not recognizing that it is the safety of prostitutes as women that we are examining here. Whether the choice behind entering the profession is hunger, deviance, mental illness, drug addiction, sexual liberation, or being forced via criminal activity, that choice is really manifold and unknown to us. What is known to us is that these women do it for money, much like women do every other job or profession held by lawful citizens and unlawful entrepreneurs in underground economies. It is really pointless to be criminalizing and stigmatizing these women as drug addicts and destitute lost causes, and to then be trying to focus on prevention as valid. That's a contradiction in and of itself.

Having these women as the focus here is the priority; the focus is not the illness that they inflict on communities and society. That profession has existed, and I'm sure it's called the oldest profession in the world for a reason.

Thirdly, I just wanted to pose a question. Is it so outside of the realm of possibility that reform of this article and insight into this issue would actually help the problems that I have heard expressed by the communities and the residents? We have pretty much been saying the same thing over and over again: it's the community's rights versus prostitutes' rights. I do not believe the two are mutually exclusive. I believe that looking at the issue could actually provoke positive change. From what I heard from the residents, it's so dismal that it cannot get worse, so I don't see why the issue shouldn't be looked at if we can only go up from here. Obviously leaving the status quo in place, as has been proposed by the rest of the members of the representatives of our society, would not help any of the cases expressed here today.

I also wanted to think about the other impacts of possible reform, such as taxation, regulation, health services, and most importantly, morale, which stretches in both directions.

Thank you.

The Chair: Thank you to all the panellists for being here. As Mr. Hangar did correctly point out, as people who in fact live in some of these areas, you've brought a perspective that we haven't seen to date. We appreciate your comments. Thank you very much for appearing.

It would appear that our time has been expended, so we don't have an opportunity for any questions back and forth. We'll just suspend for five minutes while our next panel is set up.

• (1129)
_____ (Pause) _____

• (1144)

The Chair: I would like to thank our panel for being here this afternoon.

Our first presenter will be Mr. Jacques Moïse, from the *Projet d'intervention auprès des mineurs prostitués*.

[Translation]

Mr. Jacques Moïse (Coordinator, *Projet d'intervention auprès des mineurs prostitués*): Thank you.

My name is Jacques Moïse and I work for the *Projet d'intervention auprès des mineurs prostitués*. This is an organization that has existed for more than 20 years.

I would say that it is not amusing but rather interesting to see you all gathered here. At the end of the 1970s, it was a gathering place for the solicitation of juvenile prostitutes.

The social problem of juvenile prostitution started to some extent here, at the *Complexe Desjardins*. At the end of the 1970s, juvenile prostitution, particularly in the case of boys, did not exist as such. It existed as a problem, but it did not exist in the social language if you will. We therefore needed a social construct. At the *Complexe Desjardins*, amongst other places, there was a lot of solicitation of boys, and we started to talk about juvenile prostitution.

• (1145)

Mr. Réal Ménard: But not only... [*Inaudible*]

Mr. Jacques Moïse: No, it was a bit of everything.

I have worked for this organization for 20 years. I wrote a book on juvenile prostitution which I hope you have read. Réal has read it, I know. What I wanted to tell you today was that, whether we legislate on a particular subject or not, what interests me above all is what this will bring to the people for whom we are legislating.

I've prepared a little speech that will not be too long, in any case. I have delved into certain works and I looked at a report on research that was carried out in 1993 on the relative ineffectiveness of the repression of street prostitution over the course of the last 20 years. The goals of Bill C-49, enacted in 1985, have not been reached. First of all, there has not been a decrease in the number of prostitutes and clients. Secondly, more prostitutes than clients are arrested. Thirdly, arrests are greatly facilitated by the new wording, which prohibits communication for the means of prostitution, amongst other things.

The new criminal laws and the new municipal by-laws do not seem to be having the expected effects. By-law number 333.2b, quoted in the above-mentioned report, states the following: "Any person who is wandering or loitering at night in the streets, alleyways or fields, courtyards or any other areas of the city and who cannot provide a satisfactory explanation for this or refuses to do so will be subject to the penalty set out below". According to the report, a prostitute is not wandering, because they are walking with a goal, that is to look for clients to prostitute themselves with, which is not illegal.

The illegal activities are: solicitation, under section 213(1) of the *Criminal Code*; prostituting oneself several times in the same place, under section 210(2); keeping a common bawdy house, under section 210(1); being found in a common bawdy house, under section 210; transporting a person to such a place, under section 211; and soliciting a person to have illicit sexual intercourse with another person or living on the avails of prostitution of another person, under section 212(1).

In order for the solicitation to be considered as an offence, it must be persistent and consistent. You are aware of the Hutt decision on the subject. This is the logic of a decision quoted in the research where the judge had decided, in a case involving a dancer and a plainclothes policeman, that there had been no offence as the dancer had been neither insistent nor persistent in her offer of services. In

fact, she had run off a list of the services she might offer, and did not repeat herself afterwards. It is therefore not so much the solicitation that bothers people so much as the way in which they solicit, which can disturb the peace, if we accept the gist of the Hutt decision.

The practice of prostitution can be disturbing, and with good reason: the comings and goings of vehicles in a residential neighbourhood at 3 o'clock in the morning; dirty needles lying around—and by the way, prostitutes are not the only people responsible for the dirty needles lying about—; and the fear some women have of being mistaken for a prostitute.

Solicitation as such is not disruptive. A persistent and insistent manner of soliciting may disturb. I'll give you an example. If solicitation was so disruptive, the people who practice it in front of certain restaurants in the tourist areas would be as much of a nuisance as the prostitutes themselves.

What bothers some people the most is perhaps the sexual connotation of solicitation. We live in a society of norms where not all people are at the same point at the same time, not because some people or certain groups are backward, but because new trends and paradigms must follow a learning curve before they become an accepted part of our customs, and this is true in several domains.

Nor can we, as a society, abandon certain people on the fringes of society in a situation that is as dangerous for their physical survival as it is for their psychological survival because of differences in understanding as to what is normal and what is not. We often talk about physical violence, but we often forget about psychological abuse. It is therefore the role of the legislator to protect and to offer recognition of street people in order to allow them to become free and full-fledged citizens.

• (1150)

And so, why not try and diminish the burden of anxiety that prostitutes carry because of the possibility they may be arrested for solicitation?

We sometimes attempt, in good faith, to protect prostitutes from physical violence. These measures, which one would think were intended to protect such people from psychological abuse, nevertheless seem not to move the population nor make them think. And yet, psychological abuse that is inflicted on prostitutes by certain clients, but also by social institutions and by professionals, is sometimes more traumatizing in the long run than physical violence.

The tendency to see oneself as a nuisance ends up having devastating effects for a human being. I mean that when a person is considered as a nuisance under the law, in psychological terms they end up considering themselves as such and underrating themselves, not because of the clients but because of certain provisions of the law. I neglected to say when I introduced myself that being a psychotherapist, I see a lot of psychological fears and disorders.

I was saying therefore that notwithstanding their usefulness or relevance in terms of criminology, the laws and regulations that relegate a human being to an underclass have a potentially devastating effect on mental health. Some research suggests that many prostitutes had, a priori, a self-esteem problem. One has to wonder if the constraints and psychological abuses imposed on these people do not have a retro-feedback effect on them, to use a term that is dear to systemic psychology. This implies that the constraints and abuses become the cause of the lack of self esteem. And I am referring even to legal constraints. The cause of this self-destructive tendency has been observed amongst certain prostitutes.

I will conclude by saying that the work that you have undertaken must above all, in my opinion, take into account the psychological effects and the other negative effects on the mental health of prostitutes.

That is the end of my little presentation.

Thank you.

[*English*]

The Chair: Thank you.

Next, we'll hear from the Coalition for the Rights of Sex Workers, Jennifer Clamen and Anna-Louise Crago.

We generally have ten minutes for our presentations. Will just one of you be presenting?

Okay, Jennifer.

Ms. Jennifer Clamen (Member, Coalition for the Rights of Sex Workers): My name is Jenn Clamen. I'm here as a representative sex workers, on behalf of the Coalition for the Rights of Sex Workers. I'm also the co-founder of the recently formed Canadian Guild for Erotic Labour.

I've been involved in the struggle for sex workers' rights for five years. Throughout that time I've met hundreds of sex workers and encountered many obstacles in our plight. Some of the main obstacles I will highlight in my talk today are, one, a lack of recognition of sex workers' lives, voices, and work; two, an inability for people to accept sex workers into society as people who work, have voices, and speak about their own experiences; and three, a serious disconnect between sex workers' experiences and the interpretation of sex work from the outside.

These are realistic and understandable misconceptions, given the way sex work is portrayed in the media, pop culture, and in our opinions in everyday conversations. Sex work is rarely perceived as a form of work, but rather as a social problem that requires elimination or some sort of containment.

Sometimes this entails viewing sex work as a morality issue; other times it involves constructing sex work as a negative manifestation of women's sexual exploitation, poverty, or individual pathology. While issues of economic insecurity and violence are at play in some sex workers' lives, as they are in the lives of many women, they do not define who sex workers are, nor what sex work is about. Instead, a more accurate definition is achieved by understanding sex work the way workers themselves experience it: as a means of generating

income and thereby supporting themselves, their families, their needs, and their aspirations. In a word, sex work is work.

Understanding sex work in these terms is easier when we have a better sense of what the work is about. Whether working in massage parlours and strip clubs, on the street, or in other locales, sex workers are providing services of both a physical and emotional nature, as well as interacting with clients, colleagues, and management in the physical work environment.

Like workers in other sectors, those in sex work worry about low wages, personal and workplace safety, the ability to take time off when they're sick, and access to state and employer benefits that enhance both their own and their families' well-being. Unfortunately, the stigma surrounding most forms of sex work, and the accompanying resistance to treating it as real work, has hindered sex workers' ability to access basic labour rights, including those of minimum wage, maximum hours, forceful contracts, and secure working environments free of discrimination and violence.

These obstacles are compounded by the continued criminalization of many aspects of sex work, especially prostitution. Although prostitution itself is not illegal, the Criminal Code prohibits the public solicitation of business, or communicating; the management and use of regular work sites, or bawdy houses; and other managerial activity, known as procuring. The absurdity of these restrictions becomes clear when one contemplates their hypothetical application to other work sectors. Imagine working as a mechanic but being prohibited from working out of a garage or hiring staff. Or envision being a hair stylist who is unable to advertise or open a salon. These are ludicrous scenarios, yet sex workers are currently legally required to work under such circumstances if they wish to avoid arrest and incarceration. Needless to say, most workers are unable to meet these requirements.

The criminalization of managerial involvement creates further complications when it comes to realizing the labour rights of sex workers. Because the labour-management relationship is often criminalized, many sex workers have difficulty seeking rights and protections under labour laws and before labour boards.

While there are many supporters of sex workers' rights, some folks see the issues as being distinct to the sex trade and disparate from other workers' struggles. Nothing could be further from the truth. While workers in every sector have their own specific sets of concerns, the commonalities override the differences. This is particularly true in the case of workers who've been cast to the margins of the labour market.

Like many sex workers, growing numbers of working people in multiple sectors have been relegated to the rank of independent contractor, which denies them the various benefits associated with employee status. Women workers, including those in sex work, make up a majority of the part-time contingent or temporary labour force, and this precarious status undermines both their economic security and their organizing efforts. Migrant workers, including those in some of the erotic trades, are rendered vulnerable through the government's foreign workers program, which creates a market of temporary, expendable, underpaid labourers who lack the rights of either workers or citizens.

• (1155)

It's hard to imagine that some members of our society are denied rights and protections under the Canadian Charter of Rights and Freedoms. It is equally difficult to imagine that labour rights, as an extension of our fundamental rights, are not applied to all workers. This is the reality that has arisen out of the reliance on antiquated laws to govern and control sex workers' lives.

I come to this meeting today, in all honesty, a little frustrated, exhausted, and disillusioned. My understanding was that based on the horrific murders of over 60 sex workers in Vancouver, there was an acknowledgement that the current laws place sex workers' lives in danger. It was also my understanding that the committee wanted to review these laws in the effort to make the lives and work of sex workers less dangerous. Since that time, the committee has heard from people who support the view that sex workers are not able to speak on their own behalf, people who view sex workers as second-class citizens, and those who conflate issues of migration and coercion with sex work.

I urge the committee to take the sex workers' perspectives that they've heard at Maggie's in Toronto and that they will hear at Stella this afternoon as expert testimony from those who have firsthand and legitimate claim to experience in the sex trade. Sex workers' voices are often ignored or not taken seriously in the blind hopes of unveiling a real portrait of sex work.

We urge the committee to take a serious look at decriminalization, what it means to sex workers, and what workers have to say about the needs of their industry. Sex workers all over the world have been doing this for 30 years. Recently in Montreal we actually began a project that critically looks at what decriminalization is to us, what it means in terms of licensing, what it means in terms of zoning, whether we want one or not, paying taxes, etc.

We invite you to begin this process on your own, taking into account the importance of hearing directly from the community that is affected by these laws, which is obviously the sex workers themselves.

Thank you.

The Chair: Thank you, Ms. Clamen.

Next, Mr. Marc Drapeau from the Projet Intervention Prostitution Québec Inc.

Monsieur Drapeau.

[*Translation*]

Mr. Marc Drapeau (Coordinator, Projet Intervention Prostitution Québec Inc.): Good morning. I only speak French.

Projet Intervention Prostitution Québec Inc., is a community organization which has been well established for some 20 years now. Our organization was founded in 1984, and we provide a wide range of services, including a team working on the street, and a team which visits schools, offers training, and whose office is the community. Over the past four years, we have been working with an anthropologist, taking active measures and carrying out research, in part, as a means of further validating our own work.

I would like to share with you the definition of prostitution that our organization has adopted. Prostitution is the exchange of sexual services for money, without regard for the personal needs and desires of the person prostituting him or herself, and without any emotional involvement on the part of the client, or any relationship between the two parties. It is this lack of a relationship and emotional involvement which makes prostitution so attractive for a client, and so dehumanizing for prostitutes.

The prostitution of minors, in particular, is an issue of great concern for the people of Quebec City. There are many stakeholders who would like to find a way to eradicate juvenile prostitution yet, who, at the same time, support an adult's freedom to use his or her body as a product. At the Projet Intervention Prostitution Québec Inc., for many years, we considered prostitutes to be victims. Over the past 10 years, however, we have questioned our own position due to views expressed on sex work by new stakeholders. At times we found ourselves for prostitution, at times we found ourselves against it. We always try to keep in mind all the issues involved. We are, however, in full agreement on one point, and that is the importance of respect, dignity and safety. We are not, however, convinced that the various options put forward by the different camps will have the desired effect.

Over the past four years, we have carried out field research with adult female prostitutes. We were astonished by the results. Even though I have been working with our organization for 14 years, I was deeply surprised to learn that two out of every four female prostitutes had first begun prostitution when they were still minors. Furthermore, three out of four allege to have been sexually abused during the course of their childhood, an experience which left them feeling disassociated from their bodies, and which has caused them great difficulties. These are ideas expressed in Rose Dufour's book, *Je vous salue*, which has just been published. I can provide those of you who are interested with more information on this later.

The book also reveals that 92 per cent of women would leave prostitution if they had the means to do so. Most of these women come from poor backgrounds. Rose Dufour also manages to express the notion of relationship poverty, in other words, while these women have had many relationships, they have been mostly superficial, and not meaningful.

The book also contains a chapter on clients. Rose interviewed 64 clients. The clients of prostitution are still exclusively men. That is something which has not yet been mentioned; however, in my view, it is important to state that prostitution is a service used exclusively by men who are able to afford it. By definition, female clients are the exception. There are some female clients, but they really are the exception. The research shows that practically all of these men firmly believe that women work as prostitutes for their own sexual gratification, something we know not to be true.

The majority of prostitutes claim to feel isolated. They have many relationships, but nothing solid. None of these women who have their own children would like to see them follow in their footsteps. Furthermore, if prostitution is a job, it should be subjected to labour regulations, and should be governed by its own standards. Best practices would have to be taught in schools. I understand that prostitution requires standards, skill levels, legislation; that needs to be taught.

As an aside, I would like to share a little anecdote with you. I would like to tell you about something which recently took place in Germany, a country which legalized prostitution. It is the story of a 54-year-old woman who was denied unemployment benefits when she refused to work in a bawdy house. Given that prostitution is legal, it is considered to be like any unskilled job, and, therefore, as a woman she was in a position to fill the position. This is a true story.

Currently, the sentences handed down to clients who, amongst other things, pay for the services of underage girls, are negligible compared to sentences given to those found guilty of abuse. Yet, where is the difference? If an underage girl is shown to belong to a prostitution network, it is as if a system springs into action to ensure that the sentences handed down to clients are fairly moderate. However, were the same young girl to be attacked by a stranger in a local park, he would normally face a two-year prison term. This is an issue of great concern to us.

• (1200)

What's more, clients probably are not aware that three quarters of these young girls have been sexually abused. Doesn't prostitution, once again, lead to the same body-mind dissociation that they have experienced since they were young and that they are used to having to live with?

As a result, engaging in prostitution contributes to and actually aggravates body dissociation problems. If adult prostitution is actually a choice, given what I just said, is it really a well-informed choice, or rather, does it not demonstrate a lack of choice? The PIPQ has never met any prostitutes who actually intended to self-actualize in this profession. I'm sorry. Periodically, we've come across some people who for a couple of months demanded the right to choose. However in general, we end up finding them in a very poor state a couple of months later, and it is pretty sad.

Our experience and our analysis lead us to believe that there should be an entire review of the act. As some people said earlier, solicitation and procuring are currently under attack. However, there is a discrepancy between the way procuring is defined and what it actually looks like in reality. If you go by the current definition of procuring, which is living off the proceeds from prostitution, then these women's children will have to be charged, as will the

shopkeepers that serve these women. You would have to charge the police when they accept payment for a \$300 or \$400 fine from these women. You would also have to charge the newspapers, because it costs two, three or four times more to have advertisements published in newspapers. In my opinion, the act is completely illogical. Currently, sex workers are mostly prosecuted under the municipal code or the Criminal Code, one or the other. They were the ones found guilty for most of the crimes committed which, in our opinion, is unnecessary.

We don't believe that red light districts or brothels are the answer to the prostitution problem. Why not? Well, because half the girls start as children. As a member of society, I'm not ready to accept that my children could start a career at that age. The second argument that I would make, is that prostitution is a clandestine activity which, I repeat, exclusively serves men that have the means—and I mean “the means”—to be consumers. It would not be in the best interest of many clients should prostitution come out of the shadows and should the shroud of secrecy that surrounds it be removed. Legalizing safe spaces would only serve to further push such activities underground thereby worsening the living conditions of some people, particularly those of young minors who are already deep underground.

Our proposal is based on the following objectives. First, the promotion of new moral values based on enduring and egalitarian interpersonal and sexual relationships; second, increasing the awareness of what prostitutes have to say and what their real needs are; third, increased awareness in schools so that youth understand prostitution better; fourth, an acceptance of the presence of prostitutes in public places so that they can be better protected and have better access to local social and health care services, for example street workers. Citizen-based initiatives should also be encouraged.

Allow me to digress for a moment. For the past three years, in the neighbourhood of Saint-Roch in Quebec City, something called citizen action has existed. Local residents are trying to give the neighbourhood a life of its own. For example, they throw hot dog parties on the corner of Dupont and Roi streets. Sex workers are welcome. Everyone spends time together in a spirit of sharing. So there is a certain level of tolerance. Perhaps things are different in Montreal, but in Quebec City, prostitution isn't what bothers residents as such but rather what goes along with it, high crime, violence and drugs. This is what upsets people in Quebec City. In general, prostitutes themselves aren't so much the problem.

I'll continue with my list of goals before coming to our proposal: increase clients' awareness and encourage them to live their sexuality in other ways; attempt to reduce the stigma attached to prostitutes; give the prostitutes their dignity back; and lastly, pass on information and take concrete action concerning men who use the sexual services of young minors, something that is completely absent from our society in this day and age.

Given that we are not legal experts at the Projet Intervention Prostitution Québec, we leave it up to you to determine what reforms should be made. Nevertheless, here is our position: we believe that the act of prostituting oneself should be decriminalized and the actions of pimps and clients should be criminalized or subject to penalties. We believe that an awareness campaign is also needed.

It should be noted that it isn't rare, especially in child prostitution networks, for clients to serve as go-betweens for other clients, which automatically makes them pimps.

• (1205)

In our opinion, the term “pimp” should be defined as follows: “anyone who encourages someone else to prostitute him or herself, be it by making threats or by any other form of manipulation.”

The Chair: Thank you, Mr. Drapeau.

• (1210)

[English]

Next is Kathy Tremblay from Action Séro Zéro.

[Translation]

Ms. Kathy Tremblay (Development and Communications Officer, Action Séro Zéro): Good afternoon. I'm here to present the Sex Workers Project of Action Séro Zéro. Action Séro Zéro is a HIV prevention organization for gay and bisexual men in Montreal. Over the years, the organization has established a project for sex workers.

If I am here as spokesperson for the project today rather than a sex worker, that is because the sex workers' movement is still in its early stages. We are far less advanced or mobilized on the issue than on women's issues. However, I did believe it was important to be here today to testify about the situation of men who are sex workers.

Defence of sex workers is often presented as a struggle for women's rights. But male prostitution also has a face, and that is something we frequently forget. Though my arguments today may not be very scientific, I did want to bring out the issue at this round table.

I would like to talk to you about our experience with these issues. Since 1997, we have been working with male sex workers. We began by working with them on the streets, but now there is an evening drop-in centre when people can come in for services, rest and get warm.

The crime rate sometimes makes it difficult to reach some people. Some people have ads and work at home, while others work for agencies or massage centres, or things like that. We have a great deal of trouble reaching these people, even when we believe that we could make a great deal of progress with them. The undercover nature of their activities makes it difficult for us to reach these men and work with them to improve their living conditions and their health.

In the street, the undercover nature of sex workers' activities regularly leads them to break off their relationship with outreach workers, the people who set up a network for them. We start working with someone, establish some kind of relationship and achieve good results, but we keep having to start from scratch. We lose all trace of the people involved because they have to hide, or because they wind up in jail for a variety of reasons.

Because of the variety of applicable statutes, we often lose contact with them. This complicates our work and makes it necessary for us to always start from scratch. And the problem is not only starting from scratch, the problem is that their difficulties get worse. They become increasingly marginalized and ostracized, while their

living conditions, instead of improving, deteriorate because they become embroiled in the justice system.

With male sex workers, there is a double taboo. Sex work is already perceived as being illegal and marginal, and added to that we have problems associated with homosexuality. That twofold stigmatization means that it is not at all easy to work with young men and sex workers in general.

I will conclude by saying that we are working very hard to promote health among sex workers. But how can we improve someone's living conditions and health when our efforts are contained in a framework that is considered illegal, undercover and marginal, and where people are always worried about safety whenever they negotiate with clients? How can we incorporate prevention and improve their living conditions when the circumstances are as they are?

That is all I had to say today. I would be pleased to answer any questions you may have.

[English]

The Chair: Merci.

Next, from Cactus Montréal, we have Marianne Tonnelier and Darlène Palmer.

You have ten minutes, so you can divide the time however you wish.

[Translation]

Ms. Marianne Tonnelier (Director General, Cactus Montréal): Thank you.

My name is Marianne Tonnelier and I am the director of Cactus Montreal. Darlène Palmer, who is here with me today, works at Cactus.

I will briefly explain what the Cactus Montreal organization is. The organization and the people who use its resources have been forced to deal with a number of new issues and that is why I will be focusing somewhat on our activities today.

Cactus Montreal dates back to 1989 and has been in existence for over 15 years. At the outset, it was an HIV-AIDS prevention organization which focused on health. However, we had to broaden its mandate to include rights advocacy. It seemed very clear to us that drug users and sex workers were to some extent stigmatized. For us, the organization is important because it seeks to defend basic human rights. We are talking about rights as fundamental as access to services. In our opinion, that is the starting point for rights advocacy.

We also fight against violence and discrimination. For us, people's independence is important. We work at developing solidarity between people. We have on-site activities but also work in the streets. Of course, we distribute material including, among other things, condoms, but we also do a lot of follow-up. I'd like to stress this point because, as my colleague said, this follow-up helps us to develop a bond of trust with these people. However, when they are arrested or imprisoned, we lose contact with them.

Accompanying people to court, which is a new duty for us, is important because often these people don't know their rights and end up, as a result, finding themselves in the same predicament. They get arrested while engaging in their activities. We also work extensively with street-based sex workers. However, we also deal with women that work for agencies.

I'll now hand the floor over to Darlène who'll talk more about what we are currently dealing with in the field. After that, I will tell you about our position.

• (1215)

Ms. Darlène Palmer (Group Coordinator, Cactus Montréal): Thank you for having invited us to speak here today.

There are many consequences to the things that sex workers have been subjected to for too long, and particularly since last year. During exchanges between police and sex workers, the attitude of police officers is rigid and contemptuous. As a citizen, anyone involved with the police should have the right to be treated respectfully. Sex workers are citizens as well. Police officers have a duty to be at the service of citizens.

People are regularly arrested in the street in an unpleasant fashion. Let me give you the example of an event where a number of women were arrested. Their photos, along with their full names, were published with the permission of a police officer. I find that unacceptable.

Now, let us talk about consequences, or repercussions. The repercussions do not only affect the person subjected to harassment in his or her own neighbourhood. As soon as such harassment happens, everything is out in the open and everyone is aware of that person's occupation. Family members also experience longer-term repercussions at work and in their relationships with friends. I find it unacceptable that those people are also stigmatized.

From a judicial standpoint, sex workers often end up in a vicious circle. Women are arrested. We try to investigate to determine whether there are still warrants or other things to be dealt with while the person is in prison. We are told there is nothing on record. The woman comes out of prison two or three days later, then is arrested again and goes back to prison.

All the work we have done with those people is lost. We provide condoms, many condoms: 232,059 condoms within one year, in 2003-2004. When these women arrive, we start working with them, try to provide them with support so that they can have a better quality of life, without necessarily excluding sex work. Then, they suddenly find themselves in jail. All the work accomplished is lost, and we have to start all over again.

Repeated stints in prison have a major influence on the self-esteem of male and female sex workers. It is unbelievable. Sex workers end up believing that getting arrested is just part of the job. Personally, I find that unacceptable. These are citizens who have a right to the same freedom we all enjoy.

I simply cannot say enough about the general conditions that apply in the relationship between sex workers and the police. In spite of all my respect for the police and the public safety system, I must say that a police presence prevents sex workers from going to places

that provide them with support, and also prevents them from receiving the protective equipment or safety equipment that they need.

In my view, we are simply playing around with their quality of life. When we prohibit them from going to a particular area, and impose specific conditions during arrest, we often end up preventing them from going to the very place where they could find support organizations. It is unacceptable to make these places inaccessible to sex workers.

In conclusion, I would like to point out that sex workers are human beings, real human beings like everyone else around this table. Would it be possible for everyone to bear that in mind at all times, whenever legislation is applied or passed?

Thank you.

• (1220)

Ms. Marianne Tonnelier: I would conclude by stating the position taken by Cactus Montréal. In our opinion, criminalization of prostitution has very negative effects, as you have seen, in particular for those who are going through significant difficulties.

Very often, people prostitute themselves because they are poor and they want to pay the bills at the end of the month. Some people pay for their education in this way. We know some women who have paid for their studies like that. People take drugs, and it is a way for them to buy those substances. Otherwise, they can turn to theft.

It is also true that some women choose to make it their profession, and we recognize that. We also know women who do this job. It is often for personal reasons. I have known women who do so because they see themselves as being the poor man's psychologist. These were very dignified and articulate women. Often, these women were poorly educated. They could have worked in a factory for a pittance. Working as prostitutes offered them some freedom and more interesting financial situations.

In our opinion, criminalization brings about very negative consequences legally speaking, as Darlène Palmer has mentioned, and it also maintains the illicit and transgressive image of the prostitute. Often, it is the very negative image of the whore, and as a result, it is a stigmatizing image that remains in the mind of the public.

We feel that criminalization also has a negative effect in the social environment. At Cactus Montréal, it is a subject that we often think about. The more repression there is, the more women hide themselves in the streets, in the alleyways—and men also, we must not forget them—the more anger and negative reactions are provoked on the part of residents.

We have seen examples of settling of accounts in the downtown streets of Montreal. It is like a witch hunt. We cannot accept this as a way of working and as a way of treating citizens. Based on these findings, we have realized that neither criminalization nor prosecution will put the lives of these women out of danger.

We talk about prostitution, about its relationship with the drug issue. That is not the subject today, but it is clear that the more we criminalize, the more we see that few people get away from it. Thank you.

[English]

The Chair: Merci.

Monsieur Hanger is next for seven minutes—question and answer.

● (1225)

Mr. Art Hanger: Thank you for the presentations. It's been rather interesting, to say the least. There is somewhat of a variance in views.

Mr. Drapeau, you gave some pretty significant statistics, I believe, that two out of every four prostitutes started out as minors, and three out of four were abused sexually. Those are pretty significant stats, I suggest. Do you see that as a major part in how you're dealing with all the prostitutes on the street? I assume you build that into your programs.

So you're in the schools and at the grassroots level on the street, trying to deal with street prostitution. Do you deal with anything beyond street prostitution, like massage parlours?

[Translation]

Mr. Marc Drapeau: I did not make a complete list of all our services. We have someone who goes to the agencies. We have someone who goes to the bars, we have a street team that works with prostitutes. On average, we work with 150 people per year, boys as much as girls. I did not talk about men, but about boys in the world of prostitution.

In schools, we meet with 6,000 to 7,000 students per year within the framework of a specific program. The reality of the kind of prostitution practised by street gangs in Quebec has caused a lot of turmoil. We have reviewed our program, which gives us access. We meet with students to talk to them about seduction, about what is a good seduction and what is not. We tell them how a 16-year-old person can be manipulated into becoming a “volunteer”, into becoming a prostitute.

[English]

Mr. Art Hanger: Do you think there should be legalization of the entire sex trade if you want to call it a business? Where do you see the line drawn?

[Translation]

Mr. Marc Drapeau: No. In our view, it is clear that this could never be an occupation. I think I demonstrated earlier that in order for it to be an occupation, society would have to agree to train people for it. I do not think that is where we are at.

For me, juvenile prostitution is completely unacceptable. It is also clear to me and to my organization that people who use the services of young prostitutes are involved in pedophilia and in a very underground scene. A number of these young girls have been followed by *Projet intervention prostitution Québec Inc.* for a number of years. We know many girls who started when they were minors and who are now 20 or 25 years old. Seven to ten years later, they are thinking about getting out of this activity.

Consequently, in our view, it is completely unthinkable that prostitution be completely legalized. That is why our proposal was to decriminalize the people involved. At the moment, the prostitutes are

the black sheep in the system. The male clients are held to account very little.

I repeat that prostitution exists exclusively to serve men. I have never heard of any program, either today or in recent years, to target the men involved. They simply do not exist. However, these are the main people who demand the service and they are the ones who produce prostitution. The clients are the main people responsible for producing prostitution. Men have some thinking to do, in my opinion.

[English]

The Chair: Would you like to move on, Mr. Hanger? Ms. Clamen would like to respond.

Mr. Art Hanger: I was going to get to her in a minute. I just wanted to verify Mr. Drapeau's conclusion that the concentration should be centred on the clients or the pimps as far as criminalization is concerned.

[Translation]

Mr. Marc Drapeau: Yes.

● (1230)

[English]

Mr. Art Hanger: Jennifer Clamen, you made a statement, and I've heard the statement before.

First, I'd like to ask you this. You're part of a coalition, and you speak on behalf of...?

Ms. Jennifer Clamen: Sex workers.

Mr. Art Hanger: How many members do you have in your coalition?

Ms. Jennifer Clamen: Over the years? It depends on the year.

Mr. Art Hanger: How many do you have right now?

Ms. Jennifer Clamen: Right now, there are about twelve.

Mr. Art Hanger: Twelve members, and they belong—

Ms. Jennifer Clamen: And Stella, the organization in Montreal, has more than eighty members and is actually a member of the coalition as well.

Mr. Art Hanger: So you have a collective voice here. When you say you speak on behalf of all of these women, did you all get together to provide this statement? Is that basically it?

Ms. Jennifer Clamen: Men, women, and transsexual and transvestite sex workers, yes. We didn't all present the statement together, but we have a collective voice.

Mr. Art Hanger: What I'm trying to get at is whether this statement that you made is from all of you getting together to provide this....

Ms. Jennifer Clamen: We discussed the content of things that would be included.

Mr. Art Hanger: All right.

My next question is this. In this statement that you have made or that I've heard others make—and I'd like you to explain to me how it all factors out—you mentioned that because of the soliciting laws or even the laws surrounding prostitution, the murdered women in British Columbia were put in a position that made them more vulnerable. Would you explain just how that happened? I'm very curious, because I haven't heard an answer yet.

Ms. Jennifer Clamen: When you talk to sex workers, I'm sure you hear that the communicating law itself puts sex workers in situations in which they can't assess their clients, they can't assess their safety, nor can they report any violence to the police. As you know, what happened in Vancouver was that a lot of those women who did report to the police were ignored, were told they were lying, or were told that being beaten up and raped was part of their job. That kind of stigma is extremely dangerous. It is systemic in violence. It prevents any sort of recourse on behalf of the sex worker.

You should be able to assess your working environment when you go to work. If you're working environment happens to be a street corner, you're checking out your working environment. You're having a friend looking out for you on the corner to say they're going to check just to make sure you're safe. If you can't have those kinds of communications, you can't have an appropriate workplace, nor can you be safe in your work environment.

Those women didn't have those things accessible to them because they were constantly running from the police. When you're running from the police, you can't access the support of police, nor can you access the support of your community or the residents, especially if they tend to be violent, which they do in Montreal.

Mr. Art Hanger: It's still not clear to me. Some of the prostitutes who went with Picton to his farm went with him on their own, and some of them went there with other people. My point is that I've heard the blanket statement before about connecting or trying to connect the soliciting laws to all of the deaths that took place over there, and I'm having a hard time making that connection. I want you to help me out if you can.

Those women had a time when they sat with this man. Many of them knew him from before. They drove to his farm with him. They had time to assess him. It's no different from this situation with the Green River killer. Those women went willingly with these individuals. So connect for me the soliciting laws and the deaths of these women.

Ms. Jennifer Clamen: I'll connect the soliciting laws for you, but I also take grave offence at the assumption that when women are raped and murdered, it is somehow inherently their fault or they inherently led themselves to be in that situation where somebody who should be the one prosecuted under the law isn't being prosecuted under the law.

If there is an economic necessity in your life—which probably everybody around this table can account for—you're going to make your money. As a sex worker, yes, you're communicating with your client; you're going to make your money. If that exchange of communication has to happen in a place that is not public—which is what the law says you can't do—you're putting yourself out of the public eye and in danger, in a corner.

I don't know how much easier I can make this sound, but it's obvious to us that when you cannot be open in public and have everybody accept that the work you do is legitimate, you're putting yourself in danger and your society is putting you in danger. You are the only people who can change that.

The Chair: Mr. Hanger, your time is up, but I think Mr. Moise would also like to make a comment.

[*Translation*]

Mr. Jacques Moise: I would like to say something about solicitation. We need to make a distinction. When we pass legislation to eliminate street solicitation, there is a distinction that must be made. In the case of a bar with nude male or female dancers, the young woman or man does not need to solicit, because that is what goes on in such places. The young women or young men do not have to seek out the client, because they come right to them.

At the same time, are we not facilitating a private business where people do not have to do any solicitation? It is as though we were saying that it is okay to do this in a bar, but not on the street.

I would like to say something else to my colleague, Marc. It is true that generally men are the clients. It depends on how we define prostitution. If we define it as a normal sexual act, I could speak very bluntly here. If prostitution is defined as touching, fellatio or penetration, this is very hypocritical on the part of society.

Let me give you a real example that may make you laugh. I know a client who gets into a coffin and calls an escort, and the escort starts crying. She has never touched this client. As this woman cries, the client reaches orgasm. There was no touching between these two people but there was sexual gratification.

We have to understand that prostitution must not be limited to the usual sexual act. Many women go to bars where there are nude male dancers, get sexual pleasure from it, pay \$10 for a dance, and so on. Increasingly, women are becoming clients of such services in our society.

I wanted to put things into perspective. Prostitution is seen chiefly as a clearly defined sexual act, and outside of that, there is no...

One final comment. There may be some danger in defining all clients as people who are sick. That means that people involved in prostitution have become therapists. They are told that they work only with people who are crazy or sick. This danger must also be taken into consideration. Are all the clients sick? Is there not a man somewhere whose wife has left him and who, because of his emotional state, goes to see a prostitute one day and that is the day that the police turn up? This man is finished for the rest of his life, because he has just been categorized as someone who is ill.

This does mean something for prostitutes. Are we not giving them responsibility for caring for the sick people in our society?

When we define the expressions, we need to look at the psychological impact on prostitutes. That is not the only factor, but it is the most important one, because we talk about... [*Inaudible*—*Editor*]...

• (1235)

The Chair: It is your turn, Ms. Brunelle.

Ms. Paule Brunelle: Good afternoon, everyone. It is a pleasure to meet you here in Montreal. I am the Bloc Québécois member for Trois-Rivières.

We have to be careful not to generalize. Some prostitutes have told us that they think they are sex trade workers. They see prostitution as a way to earn a living that has its good and bad aspects. Others think something absolutely must be done to reduce the exploitation and victimization of women engaged in this occupation. This involves men as well. We have probably heard from fewer men than women.

In your view, given your experience, what should we do to stop this violence? Since there are many women street workers, what should we do to try to deal with the violence? Since these women live with stereotypes and prejudices, what do you think we can do as members of Parliament?

• (1240)

Mr. Marc Drapeau: I answered this question in part earlier. In my opinion, in order to eliminate violence, prostitution must be decriminalized. That would be a first step.

Legally speaking, that is basically what needs to be done. However, we need a lot of awareness programs and prevention campaigns. Advertising could be used. Messages could be passed on to the men involved, and at the same time some tolerance could be shown and a respect for life in the neighbourhood. I always come back to the Saint-Roch neighbourhood. In places where the phenomenon exists, we should make resources more accessible and reduce the taboos and stigmatization. Police officers assigned to this district become much more flexible.

At the moment, there is absolutely no legal reason why police officers do not receive complaints from prostitutes. They could do so, but they stigmatize these individuals; that is very different. As far as I am concerned, we really have to make a distinction here. They use these individuals as scapegoats. Theoretically, the law requires them to take into account any accusation and any matter that is reported to them. In Quebec City, some police officers, if they are working with a partner, agree to take depositions from prostitutes. However, for this to happen there has to be a good atmosphere in the neighbourhood, and everyone has to show good will and tolerance.

Ms. Paule Brunelle: Mr. Drapeau, some of your suggestions are similar to the Swedish model, under which the clients and pimps are subject to more legal sanctions.

Do you know how far you are prepared to go with respect to clients, for example? Are you thinking of fines or prison terms? What are you suggesting?

Mr. Marc Drapeau: We are still weighing up this issue. As I have already said, we are not lawyers. To my mind, legislation on the prostitution of minors ought to be extremely severe. Whatever way you look at it, it is child abuse.

As regards adult prostitution, I am still undecided, although I believe that the definition of pimping that we provided earlier is key to the debate. There are some people who, for a variety of reasons, decide to enter prostitution. That does not bother me. Others, however, are forced, are in some way manipulated, to become prostitutes. When we visit schools, we explain the situations which can lead young girls to becoming involved in prostitution, in other

words, how they are lured into networks. The boyfriend, because that is indeed what he claimed to be, can take between six and nine months to lure a girl into prostitution. He tells the young girl that she is the most beautiful girl that he has ever seen, he showers her with gifts, and so forth. Eventually, this leads the girl to become complicit, in a certain sense. However, to my mind, this is still manipulation, and it's reprehensible.

I am, however, against the idea of sanctioning somebody who has freely decided to enter prostitution, be it by choice or lack thereof. In my view, these people ought to have the best working environment possible, in an effort to downplay the impact of the profession.

It is for these reasons that I believe that we need to implement programs, and not only on a top down basis. I also believe that the general public should get involved. The Saint-Roch district provides an edifying example. Nobody wants to drive anybody out, quite the opposite; residents want to live side by side with sex workers, a desire which has led to an interesting approach which has drastically reduced violence.

The Chair: Mrs. Palmer, Ms. Clamen and Mr. Moïse.

Ms. Darlène Palmer: I would like to make a brief comment in response to what M. Hanger said about Vancouver. I too I am shocked to see that people are having difficulty in understanding the repercussions that such an event can have on women.

On the subject of Montreal, I spoke earlier about the young woman whose photo was published in a newspaper. I would like to talk to you about how she has been affected in her daily life. She wanted to start drinking less, she wanted to built herself a life, with an apartment, a job and so forth. Now, however, she is recognized wherever she goes. People say that there are no repercussions on the street worker life. I am sorry, but that is not true.

Violence is not systematically part and parcel of being a sex worker. Some women have told me that when they have told a police officer about an injury suffered, or a bad client in the area, the police officers simply say: "That is just part of the game, sweetheart". No. It is not just part of the game.

Thank you.

• (1245)

The Chair: Ms. Clamen.

[English]

Ms. Jennifer Clamen: I wanted to first say I think it's ironic. I think Mr. Drapeau and I are probably saying a lot of the same thing, which is that absolutely in no way do we support the abuse of children, nor do we support the abuse of sexual violence. I think that's the point. We're talking about rights. We're talking about rights for people who are doing something for money, regardless of what they're doing.

Using the example of Rose Dufour's book, which we're calling research at this point, I find it highly discouraging in some ways. She's one of the women who will speak for sex workers and won't acknowledge that sex workers can speak on their own behalf. She's also one of the people who is opposing the criminalization of clients, along with the residents of Montreal, who, yes, have a very creative and violent way of dealing with prostitution in their neighbourhoods.

I've heard many times recommended to this committee that the clients should be criminalized, and it's coming, ironically—or probably not—from everybody outside of the sex industry who doesn't necessarily understand how important those clients are to sex workers. We're talking bread and butter. We're talking money made on an everyday basis. That is a really important thing. Not only that, but in Sweden, where this model has been implemented, there has been a serious increase of violence. And if violence is something we're talking about reducing, this model is absolutely not appropriate.

I think we also need to look at the impact of john schools, for example, in Canada, and what kind of brainwashing a lot of the men who want to have sex with sex workers have to go through. They're taught that women are weak. They're taught that women don't have any independence or autonomy. They're taught that women are just used as sexual objects and that they shouldn't take part in this system anymore, and that's why they're being punished, because they did that. I don't think that's the kind of thing we need to be promoting either.

What we are suggesting is the complete removal of all of the laws that make sex workers criminals, that make people who are working for money, whatever they're using that money for, criminals. As sex workers, we don't want to be considered criminals.

The Chair: Monsieur Moïse.

[Translation]

Mr. Jacques Moïse: Thank you. Here's what I wanted to say. Legislation and regulations are just a snapshot of society. Let's take the DSM as an example. I don't know if you're familiar with this diagnostic and statistical manual of mental disorders. In the third edition of the DSM, homosexuality was described as being a mental disorder. However, in the fourth edition of the DSM, homosexuality no longer appeared as a mental disorder because our society, with its psychological this and psychological that, had evolved.

Regarding prostitution, I think we are at a stage where the lawmakers themselves have to put out the message that prostitutes must not be stigmatized. I think that any legislation must communicate that these people are normal. When I say normal, I'm talking about the norm. One mustn't confuse normal and natural. I'm talking about normalcy, about people who shouldn't be stigmatized, and I'm saying that lawmakers must send a very clear signal, otherwise society will not evolve. When legislation is drafted, if society is not yet at the same level, then that legislation quickly becomes obsolete. It is the legislator, however, who must send out the message, somewhere in the drafting, that prostitutes are perfectly normal people.

I do not want to talk about whether or not this type of work is work. A little earlier on, someone—I don't remember who—talked about normalcy. It is absolutely essential that somehow the signal be sent that these are normal people. I thought it was important to saying that when a legislation is tabled or passed, it has to be said that this legislation is being made for normal people and not for sick people. That is why I referred to the DSM. Prostitutes are often considered to be... There's a whole psycho-therapeutic language that claims, as Rose Dufour's book says, that these people were raped at a young age. There's also a whole area of research showing that these

were people suffering from mental disorders before becoming prostitutes. I do not agree with these claims.

[English]

The Chair: Madame Crago, Madame Tonnelier, and then we'll have to go on to Ms. Davies.

Ms. Anna-Louise Crago (Member, Coalition for the Rights of Sex Workers): Hi. I wanted to respond to Mr. Hanger's earlier question to Ms. Clamen.

I have been a member of the Coalition for the Rights of Sex Workers since 1996. The coalition has always been made up of sex workers, current and former, and our allies and friends. Over the years hundreds of sex workers in Montreal have participated in different events we've had.

The core group has gone... I've been at meetings with about 50 to now about 12. I would like to underline that the majority of the sex workers who have been spokespeople or at different times members of the coalition are street involved.

I think this is important because I see a lot of distinction made between middle- or high-class escorts and sex workers and ones who are street involved. I feel it is crucial to realize and to underline that when we are talking about human rights, when we are talking about workers' rights, it is precisely those who are the most vulnerable and the most under attack and whose rights are the most often violated who need those rights defended.

• (1250)

The Chair: Ms. Tonnelier.

[Translation]

Ms. Marianne Tonnelier: Mr. Moïse was talking about normal people, but we're also talking about people who are criminals because they have been arrested and they have had to deal with the legal system.

People often say that community advocacy groups for these people, whether they be sex workers or drug consumers, do not care about what the neighbourhoods experience. I think it is important to point out that we are concerned about this. Ms. Brunelle was saying earlier that the solution was not to arrest or to convict these people because the more they are sanctioned, the more repression there is and the more these women hide; and we are seeing this more and more. Over the past few years there have been more and more arrests and I think that is what has been causing the confrontation, which is something we do not want, between residents and community groups. They are all full-fledged citizens, whether they live downtown or in the suburbs. These people have just as many rights as the residents in the neighbourhoods where these activities are taking place. This is often the cause of the kind of confrontation that we do not at all wish for. The legislation is partly responsible for the situation being so bad for the people we help.

[English]

The Chair: Thank you.

Madam Davies is next, please, for seven minutes.

Ms. Libby Davies: Thank you very much.

Thank you, Marianne, for that comment.

I should say I'm the NDP member here, because we don't list what parties we belong to. I represent Vancouver East, which a number of people have made reference to concerning the number of missing and murdered women. I'm sure when we get to Vancouver we'll hear a lot more about what's happened there.

I just want to pick up on Marianne's comment. I think a lot of this debate does have to do with what we consider to be normal or acceptable in our society. I was very interested in Marc's comment—I wrote down what you said—that they're using their body as a product. I think you said you had a lot of concern about that, in terms of exploitation.

I think it raises a lot of issues about how we approach this. On the one hand, there are lots of people who use their bodies as products or as works. Classical dancing is considered to be all right, in fact we elevate it, but exotic dancing is not. Modelling is considered to be a thing of great status, but selling sexual services is not. So I think how we approach this is very important.

To me it's not a question of whether prostitution or sexual work is good or bad; it has more to do with our view of sexuality and the harm there is or isn't. That's the question we need to focus on. A lot of people believe that prostitution is very degrading, and we've heard many witnesses say this on all sides. I think there's a terrible contradiction, because if we do believe that, why would we so criminalize and dehumanize people who we think are victims, who are degraded by what they do? Why would we demonize them?

Part of this debate is about removing the moral judgment and stigma associated with that and moving into a more objective realm. Instead of saying all communication is illegal, all bawdy houses are illegal, and all procuring is illegal—and I'm putting this to everybody—should we not be saying we should rule out juveniles, that coercion is not allowed or acceptable, that we want to minimize all harm and risk, and that we want to provide an environment where consent is permissible but coercion is not?

I was thinking of another work area, car racing—a very male domain. In fact, if the Grand Prix happens here in Montreal it brings in a lot of business, and people see it as a fabulous thing. Some people may have objections to it, but in that business we rule out what coercion there may be, or dangerous practices, and we see it as an acceptable industry.

I guess my question is, should we not be approaching this in the same way? Instead of saying, here's the law, this is criminalized, you are criminalized whether you're the provider or the buyer, should we not be approaching it from an objective point of view of what harms there are and saying there might be certain rules in terms of it not being acceptable for juveniles, and so on—some of the things I've listed? Why wouldn't we do that? Is that not a more rational way to deal with this? Maybe we'd get further in the debate, I don't know.

•(1255)

The Chair: Monsieur Drapeau, would you care to respond?

[*Translation*]

Mr. Marc Drapeau: Yes, I would like to provide an answer. I would like to make an important digression. Contrary to other professions involving the body, prostitution is currently the only one that encourages dissociation from the body. The people I know end

up separating themselves from their bodies. For example, last week, a woman was operated on. She underwent a serious operation and the next morning she was running around all over the place with an open wound. They are cut off from their bodies.

To come back to your example, dancers, among others, of course work with their bodies, but quite honestly you'll perhaps say that this is a moral or associative activity. Generally, one attempts to find a balance and not to encourage dissociation.

[*English*]

Ms. Libby Davies: But there's a lot of work where we have distance. Even with factory work, one could say you disassociate from what you're doing because it's repetitive and not particularly pleasurable.

[*Translation*]

Mr. Marc Drapeau: You are quite right. This is why I wanted to answer specifically as regards dissociation. I wanted to tell Ms. Jennifer that Ms. Dufour, in her book, is not speaking for the women. You have to read to document: they are life stories. Ms. Dufour lived that life for four years and still sees those people. She drew them out and they told their stories, from childhood until the present. That is what you will find in the book. Before it was published, every story was reread by the girls in question. Rose Dufour did not put any statistical tables into her book. So any reader looking for figures has to find them within the text of the book. I did not find the figures I gave you earlier in the form of a table; I extracted them from the text.

We were indeed concerned that people might interpret this data as a tragedy, for example the fact that three girls out of four have been victims of abuse. Perhaps you are aware of the fact that three abusers out of four have also been victims.

[*English*]

The Chair: Ms. Crago, Mr. Moise, and then Ms. Tremblay.

Ms. Anna-Louise Crago: I'm sorry, I wanted to continue my answer to Mr. Hanger about how the laws are related to violence.

It's not just the solicitation law, although I think a few people around the table have explained how that contributes to violence. Another one of the laws is the bawdy house law, which means that you cannot work with other people, which would make it safer. You cannot hire protection, which would make it safer. You cannot work from an environment that you know, where you know where you can go to get help, with the solicitation law.

Here I think it's very important to note that we've seen the same thing when variants of the Swedish model have been applied in Montreal. When people go after clients, sex workers go underground too, and the violence goes up. It's the sex workers who end up dealing with the violence, because of a law that was supposedly put out there to protect us. It's a hypocrisy I find revolting.

In Sweden, the reports that have come out have often shown that it's just pushed sex work underground more as clients have been gone after, and violence has gone up. Also, for women who would like to make a change, maybe move on to a different type of work or set themselves up in a way where they keep doing sex work, but in an environment where they feel more protected, it means they can't. They don't have access to the services that are necessary. They risk getting arrested. Once you're arrested, you risk losing your house. Oftentimes women lose their children to custody when they're in jail. These are horrific things.

In the Coalition for the Rights of Sex Workers, we consider that the criminalization of our lives, of our work, and our families is a form of violence. I think you have to know that. For us, the criminalization of clients, when it pushes sex workers' lives and work underground and trivializes our lives and our rights as workers, is a form of violence. I have to say that I find it heart-wrenching year after year to sit here and remind you that we're human, remind you that we're citizens, and remind you that we're residents. How dare you?

It does not diminish our humanity that we have to remind you that we're humans, and that sex workers are workers, and that they're deserving of human rights. It does not diminish the humanity of any of us around here who were or are part of the sex trade.

It's your humanity that is diminished by the lack of courage and justice in your hearts. You have to stand up and do something very brave, which is to stand up for sex workers and their rights as workers and as human beings, because violence is not intrinsic to the sex trade. As a society, we have chosen to make it violent, the same way as mining was at different times extremely dangerous and, some would say, physically violent work because you could go through all types of industrial accidents.

So it takes tremendous courage, and it's going to take solidarity. We need it from you. We need that initiative from you, and we need it yesterday.

• (1300)

The Chair: Thank you, Ms. Crago.

Mr. Moïse.

[*Translation*]

Mr. Jacques Moïse: I wanted to add something to Ms. Davies' argument, which I quite liked.

This is what I wanted to say when I was referring to sexual intercourse. On television—and here, I will allow myself to name names—Calvin Klein, Benetton and others are more and more often selling young bodies. The videos that young people watch today, what are they selling? When a young person is in an advertisement for underwear in the Montreal or Paris Metro, what do we see? It is not the Calvin Klein underwear that is being sold but rather the young person's body. There is a tiny young face, that looks 13 years old, but is in fact 18. Selling the body, whether it is on television, in ads or in commercials, is done every day. It is therefore the act of sexual intercourse that disturbs people in some way.

What I'm trying to say is that we must not talk about the body as a problem. It is common practice to sell bodies. On the other hand, it

depends how it is done. If it is Benetton, Calvin Klein or other multinationals doing the selling, there is no problem, but if it is a woman standing on the corner of Sainte-Catherine Street and Saint-Laurent Boulevard who is doing so, that is not acceptable. That is what I wanted to add.

The Chair: Thank you.

Ms. Tremblay.

Ms. Kathy Tremblay: I am not comfortable with the suggestion that Ms. Dufour's book contains scientific data. In my opinion, these are not scientific facts; these facts are very controversial in those circles. The book has not been unanimously accepted. It probably contains some good things and some bad. I wanted to put that on the record.

I find it rather regrettable that we are discussing the dissociation of the body sex workers experience. The lady was also talking about professional dancers. How many dancers continue to dance nightly with injuries and must continue to do their work all the same? I feel that we have gotten into a rather sterile debate as regards the dissociation of the body. I think that we should put the psycho-analytical discussion we have begun aside.

[*English*]

The Chair: Thank you, Madame Tremblay.

Dr. Fry.

Hon. Hedy Fry: Thank you.

I'm the Liberal member of the team here. I've been a physician for 23 years, and nothing I do in politics can take away that experience that I have had. I had many patients who were sex workers. So when I listen to what you had to say, Jennifer and Anna-Louise, I think you said it absolutely beautifully and well, and I want to applaud you.

We've talked—and I heard Mr. Moïse talk—about the DSM. Yes, he's right, sexuality was in the DSM. I think when we talk about wanting to see people who are in the sex trade—people who are victims, who are dissociated, and who were mentally ill before they came in—what we're in danger of doing, and what we did.... And remember, people still say that homosexuality, because it was in the DSM, can be cured: "Let's take all these poor sick people and cure them, please".

Many of the people who suggest that do it out of the goodness of their hearts and out of kindness. For me that is the greatest form of diminishing a person, when you believe you need to save them from themselves, and when you do it with a whole collective of people, it becomes even more disturbing. We've done it with homosexuality. We've done it with addicts—addicts must be saved because they are the dregs of society, and we must do something for the poor addicts.

I think we are beginning to look at an era...and I am very proud to be a politician in this era, because we're beginning to debunk some of that. We're beginning to say that homosexuals are people and they have rights, and that addicts are people and they have rights. We need to look at these as very complex issues and find ways to deal with them from that whole diaspora, that whole continuum of ways in which we can allow people to make real choices by which they are not harmed, by which they are not exploited.

We then look at places like...you know, the act of sex. You talked about Calvin Klein. Absolutely, that has moved us into an era where seeing people with very little on is acceptable to us. But let's talk about the act of sex. You say we don't like that. I would point you to *Sex and the City*, my friend, in which absolutely every night what had was not whether you were selling your body, but what was the price you were selling it for, whether it was a dinner or baubles.

So let's really talk about the issue here. Let's talk about the street workers, who we think are the dregs of society. And then we never think about the escort service that charges \$700 an hour and whether they are seen as absolutely wonderfully sexy and glamorous people. We are dealing here with discrimination. You all said it very well.

I think the role of government, as you all said, is to take people who have been marginalized, give them rights, and do what we can to help them to find those rights.

You know, I always hate following Libby, because she always asks the exact questions I was going to ask, so one of these days I'm going to ask the chair to let me go before her. But it's really important that Libby does it, because we both get to follow up on a train of thought, and Libby asked all the questions I wanted to ask.

I think the Swedish model, as you've both pointed out, has shown that we're back to a different kind of hypocrisy. If we say prostitution is not criminal but we criminalize the solicitation piece and the avails of and the bawdy house, then what have we said? We've really just boxed somebody in and said, it's okay, but you're a criminal, actually, if you indulge in a lot of the things that get you to that place.

In Sweden, if you criminalize the client—Monsieur Drapeau has talked about this, and a lot of people have looked at the Swedish model—and you say the prostitute is okay, is fine, how can the prostitute indulge with a criminal in an act that inherently has to be criminal by doing it? So prostitutes have no recourse now. They cannot seek any help from the police in violence because they're not supposed to be doing that—you know, they're indulging in an illegal act.

We play games with things because we really can't deal with the facts that we need to look at.

I want to ask a couple of questions, and these are very specific.

•(1305)

I agree with you on how we protect workers. I think the street worker is the most at risk, and we in Canada look at how we take workers who are at risk and try to find ways to minimize the risks. One, how do we minimize risk? Two, do you believe that having red light districts—in other words, putting sex workers in a particular area of town—is a good thing or a bad thing? What are the pros and cons of it? Finally, how do we deal with the whole issue of bawdy houses? What do you suggest about that, if we change that rule? Because I think we need to.

The final question is on the avails of prostitution. Obviously, if you have a family who are living...does that make them criminal? How do we change that?

•(1310)

Ms. Jennifer Clamen: I actually missed the first thing you said before red light district.

Hon. Hedy Fry: Before red light district? Harm reduction.

Ms. Jennifer Clamen: I find the harm reduction approach really interesting for sex work. I think unfortunately what it does is make it seem as if there is harm in the sex work itself and that this particular harm needs to be reduced.

I think there are actions around sex work where we do need to do harm reduction—with regard to sex, with regard to drug use. That kind of education needs to be done with the general population, not just specifically with sex workers. A lot of sex workers are actually teaching clients how to protect themselves sexually, telling clients how they need to put a condom on because they're going home to their wives, etc. It's part of the job to know what that is about. But I don't think there should necessarily be any laws implemented where sex workers are obligated or regulated to be—

Hon. Hedy Fry: Excuse me, by harm reduction I meant putting you in a safer environment.

Ms. Jennifer Clamen: Okay, sorry. It's a free term, isn't it? People sort of fling it around—

Hon. Hedy Fry: Yes, applied to substance abuse it's a different thing.

Ms. Jennifer Clamen: Okay. I can address that in terms of the red light district.

We've had a lot of talks. I can't say yes, people want this, or no, people don't want this, because there's never really been a very real and appropriate consultation with sex workers. I actually had assumed that this whole process this committee is going through now was going to be a consultation with sex workers. What it's been is a consultation with ideologies of different kinds. And that's interesting, but you're not going to find out what sex workers want that way.

So I think what we would recommend is—and I say it very lightly, because I don't know if I want to go through this again—another phase of projects where sex workers and people who work directly with sex workers are consulted to see what kinds of options they have.

For example, when red light districts were recommended here in Montreal... Unfortunately, when they are recommended they are typically in very industrial areas. They typically put all sex workers in the same areas—transsexual women, men, and transvestite sex workers—when everybody has their own stroll. They're very poorly lit. It's usually recommended as protection just for the sex workers in that area, but anybody who isn't in that area isn't protected, and that creates a two-tier system among sex workers as well.

What I think needs to happen is a very real, constructive consultation with sex workers. We have started doing that. It's been going on for 30 years, and I think that's what's interesting. Probably that's why we get frustrated sometimes, because we haven't been sitting here doing nothing for 30 years. We've acknowledged the conditions, and we've said, "This is what we want". And it's great that people are listening—or starting to listen, I would say—but we've been talking about decriminalization for 30 years, what that means in terms of zoning, what it means in terms of people maybe wanting licences for brothels. Do they want co-op brothels, unionized brothels?

The Fraser committee came out with a fantastic suggestion where women could work from their own homes, but what happened? I think it was that the Conservative Party was elected at that point, so it was trashed.

There are recommendations that come out; it's just that nobody ever takes them seriously. If we really want to be able to protect every marginalized worker or bring sex workers out from the margins into a regulated labour force the way it's regulated for every other kind of labour, we need to listen to what sex workers have to say.

I think the unions did a fantastic job in pushing the issues forward in terms of nine-to-five working days and not having children under a certain age in the labour force. These are things we can work on with sex workers in order to find out what people want.

But with the red light districts, no, I wouldn't recommend having a red light district. I think the stigma is too heavy and too entrenched right now in our society, that people would either avoid that area, start moving their businesses, or there would be a lot of backlash, as there has been in the Montreal community, anyway, from the residents.

Hon. Hedy Fry: Do you think the Fraser issue of working out of your homes is worth exploring?

Ms. Jennifer Clamen: Absolutely. This gives men and women an opportunity to organize their own work. Most sex workers are independent workers, not necessarily by choice but because, with a manager or a boss or a friend, it is illegal. You're not allowed to do that under the pimping law. Those are the kinds of relationships that people want to be able to have, negotiating working relations, negotiating contracts, negotiating your conditions of work, making sure that it's a safe place to work. People want that in every occupation.

•(1315)

The Chair: Mr. Moïse, and then Madame Tonnelier, and then we'll have to move on to the next round, which will be a three-minute round.

Mr. Moïse.

[*Translation*]

Mr. Jacques Moïse: I would like to make a little comparison concerning specialized neighbourhoods. It seems somewhat like the situation of Mirabel Airport, where there were no more flights. Air France left, as did Alitalia. If we take an activity and place it in a clearly defined neighbourhood, we also have to think about the clients. If these people no longer have customers, that will not fix

anything either. In fact, as soon as those clients enter the area, they will be identified as such. There are some who therefore will stop going.

I also wanted to add a comment about bawdy houses. You have discussed this. I don't know if you know about the saunas. Everyone knows what a sauna is obviously, but I'm talking about saunas for men only. If you would like some explanations, I could give them to you, but I think that you are all aware of what I am talking about.

[*English*]

Ms. Libby Davies: A bathhouse?

[*Translation*]

Mr. Jacques Moïse: Yes, you know what I mean. I do not need to tell you what purpose they serve. They are not only used for saunas. You knew about them.

There are many such saunas in Montreal. There are about 10 on Ste. Catherine Street, and people go there often. The most recently opened sauna is in the heart of the St. Laurent-Ste. Catherine district. Curiously, this sauna that had been for men only, became a mixed sauna within two weeks, with membership cards. There are all kinds of things that go on in there that I cannot tell you about here.

A sauna is not a bawdy house. You can do whatever you want inside, but it is not a bawdy house. And now, any young women who are street prostitutes can obtain a membership card whenever they want. One can use the bath house at will with the membership card.

All of this goes to the definition of a bawdy house. I visited the bath houses in order to make sure that I truly understood what was going on there. I saw about 20 of them. I have never understood the meaning of "common bawdy house", because one need only go into a bath house, and it is no longer seen as being a bawdy house.

To answer your question, I feel that we must find a way to define what a bawdy house is. Why is it a common bawdy house when the only activity happening there is prostitution? This is why I was making this kind of parallel with a pleasure house, which is wonderful for some people.

[*English*]

The Chair: Thank you, Mr. Moïse.

Madame Tonnelier.

[*Translation*]

Ms. Marianne Tonnelier: When we look at red light districts or bawdy houses, we can also look at the experiments that are being carried out in Europe, among other places. It is clear that this always poses a problem. The red light district in Holland is a protected sector. In fact, this allows for the identification of clients. Moreover, we realized that sex workers found themselves in a much more dangerous work situation.

Continuing on the subject of bawdy houses, I believe it is in Belgium that there are boutiques where women are on display in the windows in order to sell their product, if I may put it that way. Of course, we can see that there is a whole other kind of prostitution for poorer people that exists in parallel to this regulated prostitution, that is to say prostitution for drugs or the prostitution of women who do not have the means of paying for the boutiques. Based on the experiments that are being carried out elsewhere, we have come to the conclusion that the only possible solution, in the end, is the decriminalization of prostitution.

[English]

The Chair: Thank you.

Mr. Hanger, perhaps you could start the three-minute round.

Mr. Art Hanger: It's my turn again?

The Chair: You have time to ask just quick questions and get quick responses, so that we can all have another crack in this session.

• (1320)

Mr. Art Hanger: Well, let's see; I'm one member of Parliament, granted, from the Conservative Party, and I come from out west. I represent a riding of folks who probably are not unlike both the mix at this table and the ones who've addressed us all day long at the committee. But most of them are just ordinary working people trying to make a decent living in the safety of their own communities.

I always keep that in mind. There are those who maybe have a special axe to grind, or a direction they want to go in, or a special interest they want to portray. That's the way politics runs. There are lobbyists all over who want to see things their way. In a way, I can understand the lobbyist movement, which has special interests and is often self-serving. That's just the name of the game.

We sat yesterday with a group of prostitutes, and it was everything from legalizing the entire industry, where there's freedom to go and make all the porn you want, down to whatever level of activity you want on the street. It included making this profession a legitimate profession—like that of a mechanic, as we were told yesterday. Today it's just like mining, with inherent dangers. So we can compare it with being a miner now.

To be quite honest with you, I'm not prepared to do that, because as soon as that is done, my little grandchildren, and the grandchildren and the children of every parent in every school in this country, will have to then sit down and look at this and say, "I want to be a prostitute. That's going to be my chosen profession, selling my body for money. This is what it's all about". I'm not going to bear that burden and put any little child in that position, because that's exactly what you're advocating, over here. I'm not going to do that. I'm not going to go into a school and say that I was the guy, as one of the members of Parliament, who chose to make this a legitimate process.

I do not see that as the answer to the problems of safety here. Safety is an important issue for our citizens. As a former police officer myself, I investigated many crimes, murder included, dealing with prostitution. I think we as citizens have a responsibility to do the best we possibly can. That's why we have a police force, that thin blue line that stops the criminal element and the aggression of those who want to take the life of somebody else.

So that's where I'm prepared to go. To just say that this is the answer...and now we've gone from solicitation laws to legalizing every level of criminality around the sex industry. I don't see that as a legitimate solution.

As one member of Parliament representing one community—and I know that my community is made up of a bunch of moms and dads and grandpas and grandmas and little children—I want to know what message I should bring them back. Should I say that here I have been charged with changing the definition of prostitution, making it just like being a mechanic, or a policeman, or a nurse? No. I'm not going to do that.

The Chair: I'll allow two brief interventions, because we have to get to our next venue.

Ms. Clamen and Mr. Moïse, very quickly.

Ms. Jennifer Clamen: I would hope that your grandchildren, and my grandchildren, and every prostitute's grandchildren would be able to grow up in this world and have the choice to do what they need to do, and to do it in absolute safety. It is only with tolerance for other people that we can do that. I'm not asking that everybody be white and middle class—the husband and wife, the dog, the white picket fence—but I'm asking that, for all the diversity I live in and with, everybody could have the option to live with rights, simple rights that were given to us in the charter—the year I was born, significantly—and simply that.

I would hope that your grandchildren would grow up with that message, and not grow up with a sort of hatred towards people who aren't like them.

The Chair: Mr. Moïse.

[Translation]

Mr. Jacques Moïse: I will be brief. I want to make a comparison. You do not tell your grandchildren that you are a member of Parliament who has drafted legislation on prostitution.

[English]

Mr. Art Hanger: Of course I do.

[Translation]

Mr. Jacques Moïse: I will give you an example. That is the use of condoms by adolescents. It is the same thing. I would not want to tell my children that I did not support the use of condoms by 14- and 15-year-old boys. I would not want this generation to disappear completely because of my strict and moral position, which would be that adolescents should not make love, and they should practice abstinence. This is precisely the same kind of problem.

• (1325)

The Chair: Mr. Drapeau, you have the floor.

Mr. Marc Drapeau: First, I'd like to point out that our one and only clear position is decriminalization of prostitutes. In the other cases, we have questions; we're really sitting on the fence between one and the other.

Second, if there were a meeting with people who prostitute themselves, the sex trade workers, I'd like Quebec to get an invitation. Actually, we do have a group of women who do not think like you, who do not want to prostitute themselves but who do wish to have better conditions. So that group has to be invited.

To answer the gentleman, I would say that I am a father and I have four children. I will repeat that it is clear in my mind that, as a society, we can't say that this is a job just like any other. We can talk about dignity and do all kinds of things, but we can't say that it's a job just like any other. One can imagine one's son or daughter, aged 10, 11 or 12, looking at that as a career choice. Listen, I don't even know anyone involved in prostitution who would accept that for their own children. Maybe you'd be the first to do so.

[English]

The Chair: Thank you, Mr. Drapeau.

Madame Brunelle, for three minutes.

[Translation]

Ms. Paule Brunelle: I'll talk about safety a bit more because I especially don't have any kind of moral judgment to bring to bear. I'm keeping an open mind concerning this whole matter of prostitution.

As far as safety goes, some prostitutes have told us that they often feel they are in danger because of the solicitation legislation. Actually, they're so afraid of being arrested that they have to hurry up and choose a client and they do it too fast. If we did away with the solicitation legislation and went to legalization, do you think that would improve security for the sex trade workers?

Ms. Kathy Tremblay: Based on the experience we had in the context of the project with the sex trade workers, that could actually be quite useful. We tried to encourage sex trade workers to trust their intuition when dealing with clients and check out a few other things. For example, we tell them to take down the vehicle's licence plate number, to tell another sex trade worker who they're going with and for how long and so on. We try to make them aware of those things and we encourage them to use tricks to improve their safety. We also try to make them aware of the fact that if they have to negotiate on price, they should hold the line on the amount they want to get and not lower the price.

As for safe practices, they must demand that a condom be worn and define what sexual favours they'll provide in this exchange of services and so on, in a difficult context. Don't forget, they have to do this in a context where the client and the sex trade worker both have the feeling that they have to hide and that the consequences are very major if ever they're arrested. This does not help with the exchange of information or dialogue both for the client and the sex trade worker. The sex trade worker has to hop into somebody's car and they have to leave that spot in order not to be identified which means that they might wind up 40 kilometres from where they first were, either on the south shore or in an industrial park somewhere without having even started to negotiate the conditions for providing the sexual services.

And we shouldn't forget the stress having to hide creates both for the client and the sex trade worker. They're always afraid of getting caught. They always have to suspect that the person beside them

could be a double agent and that they might be arrested. So they always have to keep their guard up. That sort of sets the stage for paranoia and stress. I don't think that's the best atmosphere for dialogue, talking and establishing a climate of equality and safety.

So I think that can have a huge impact.

The Chair: Ms. Palmer.

Ms. Darlène Palmer: We very clearly see a significant impact with respect to security. As for prevention, if the police come close to our community organization facilities, nobody comes to see us. So we don't get the basic message out.

First of all, as an individual, I feel that I am entitled to have police protection. But I do not think that this is the case. As someone who works at Cactus Montreal, I would say that I am almost harassed on a regular basis. If I am walking the street as part of my work, I am stopped and asked whether everything is all right. I have been working in the same sector for 10 years and I am known. This is harassment, and when I'm harassed, I just want to avoid the situation.

I am no longer a sex worker. When I was in the business, that was a big factor in my decision whether or not to accept a client. When you do not have enough time to determine whether or not the guy is crazy, you get into the car and you are in a very risky situation. Human beings should not have to experience such situations.

• (1330)

[English]

The Chair: Thank you, Ms. Palmer.

Ms. Davies.

Ms. Libby Davies: Thank you. I'll ask this very quickly.

First of all, it's been a really good discussion, and it can get quite intense at moments. We found that yesterday as well. But as you can see, the committee is taking on a lot. We don't know where we're going to go with all of this, but I do think that whatever we do, there probably will be some further work, and I think it's very important that sex workers be involved. It depends upon what the committee recommends, but if there is some law reform, it's very important that there be an involvement.

I just wondered if you had any suggestions for the committee that you might want to put on the record in terms of how you...now you're being heard. It's like there's been 20 years of people not being heard on this subject, and I think there's a lot of frustration. We have to open it up and make sure there is some sort of ongoing process so that you are heard. If you have any thoughts about that, this would be a good time to put them on the record, and we can pick them up when we do our report, hopefully,

The Chair: Thank you, Ms. Davies.

Ms. Clamen.

Ms. Jennifer Clamen: Yes, I do have recommendations. I'm not going to get into the specifics of what our recommendations for law reform are, because I think at this point I would be representing only myself—and everybody I've spoken to over the years. I do have a recommendation in terms of process.

One of the biggest challenges, let's say, we've had so far with this committee's process is that the first people who were consulted were not the people who are affected by the laws, and those are sex workers. I think that at any point in time when you are considering a review of laws, you need to talk to the people who are directly affected. There have been many reasons given to me. One is that sex workers are hard to reach. Another is that it's important to hear how prostitution affects everybody.

But from what I understood, we're talking about prostitution laws, and the only people who are affected by prostitution laws are prostitutes and sex workers in general.

I think after hearing from as many sex workers as you will have, after visiting Maggie's and Stella, and Stepping Stone tomorrow, you'll realize that sex workers are organized and we have lots to say in the sex worker activist community in general. I would recommend that the committee really take that testimony as being from expert witnesses, as expert as every academic who's presented, as expert as every book that's been thrown on your table—as the experts. I can't impress enough upon people that sex workers are the only people who can tell you what it is like to live with those laws.

Everybody else can give you an opinion. They can give you what they want for their children, what they want for their world, what they hope for your own children. But they cannot tell you how they're affected by them, because they're not. They're sitting in their ivory towers or their homes and they're telling you what they think, or what they would assume, or what they think is sympathy for other people.

If you want to know how people want to be helped, you have to go directly to those people. That would be my first step in that process. Talk to sex workers. And if you have a problem getting in touch with them, the coalition can help you. It's a very connected community. It's an international movement of over 70,000 people. We can definitely put you in touch with people who can give you an idea of what we want.

The Chair: Thank you, Ms. Clamen.

[*Translation*]

Ms. Darlène Palmer: I would simply like to repeat the suggestion. You will find the answers or some clarification with respect to all of these questions by asking the people who experience this reality on an everyday basis, by asking the people who are the most often stigmatized. They can give clear answers.

There are adequate resources to consult in Montreal and elsewhere. This should not be done for purely symbolic reasons, you shouldn't just merely go through the motions of doing this. This needs to be done with respect. These are people who have doctorates in their area of expertise. People are willing to pay for their expertise. These people need to be respected and you need to recognize that they are really experts. They can talk to us more knowledgeably than any other person and they can tell us what will and will not work. Thank you.

• (1335)

[*English*]

The Chair: Ms. Davies. Perhaps you can go rather quickly.

Hon. Hedy Fry: You called me Ms. Davies. What can I say? Our ridings are right next door to each other, so that does make a difference.

Most people have talked at this round about decriminalization. I think it's interesting, because we all bring what we used to do in our lives before to what we do now. Nobody ever drops that piece of baggage. Mr. Hanger talked about being a policeman, and I talk a lot about being a physician, because being a physician is what drives what I do, how I think, and so on.

The well-being of groups and people in society is important. If you decriminalize...and I think that's a first step, because until not long ago—with Pierre Trudeau, actually—homosexuality was a criminal act.

I would like to be able to tell the parents, the moms and dads, the grandchildren, and the grandparents—including my own grandchildren, because we have those in my riding as well—what I did and what I felt. I would like to say that I worked hard to meet the well-being of Canadians and to help them realize their human rights.

If we decriminalize, how do you see us setting up a regulatory mechanism to ensure that this is a safe way in which to work, that people have real choices, and that they are not exploited or coerced into choices—where they work, how they work, when they work—and what will the regulations be for people who are going to be clients, etc.? What regulations do you see that are going to keep safe the communities in which people work, as well as the workers, etc.?

Ms. Anna-Louise Crago: There are a couple of things that I can think to put out there. The first is that in New Zealand, where they have decriminalized, there have been extensive occupational health and safety consultations with sex workers. The sex workers are strategizing together on how to protect their health and safety, and the health of their clients.

Another important thing to look at is in India, where there is Sonagachi project. The Sonagachi is the red light district, and there are 60,000 sex workers who are part of the Sonagachi project. They have put together a very interesting model with self-regulatory boards, where sex workers participate in making sure there is no coercion or force, and no minors are involved in the trade. I think it's really important to note that sex workers' organizations are very invested in protecting health and safety standards and in regulating the trade so that abuses do not happen in the trade.

The Chair: Thank you.

Does anyone else wish to comment?

Ms. Clamen.

Ms. Jennifer Clamen: A lot of sex workers in Canada and overseas have been looking to unions for support, since the government hasn't been able to do much—no offence—nor have the police. We've been looking to unions and labour law to be able to talk about regulation. Sex work is not like any other job, just the way every job is specific and individual, in and of itself. But definitely there is a labour code that exists that we can access. There are a lot of things to regulate work and make sure you're not exploited at work, based on the labour code.

I think that's a place to start as well.

The Chair: Anna-Louise Crago.

Ms. Anna-Louise Crago: That's been done in Argentina, England, and a number of places where sex workers have worked with unions.

The Chair: Thank you very much for your input this afternoon. Unfortunately, time is a constraint. We'd love to stay longer and chat

a little more, but unfortunately we have to move on. I'm the bad guy who makes this happen.

Again, I appreciate your input. It has been very important to us in trying to come to some type of report on this.

The meeting is adjourned.

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

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

**Also available on the Parliamentary Internet Parlementaire at the following address:
Aussi disponible sur le réseau électronique « Parliamentary Internet Parlementaire » à l'adresse suivante :
<http://www.parl.gc.ca>**

The Speaker of the House hereby grants permission to reproduce this document, in whole or in part, for use in schools and for other purposes such as private study, research, criticism, review or newspaper summary. Any commercial or other use or reproduction of this publication requires the express prior written authorization of the Speaker of the House of Commons.

Le Président de la Chambre des communes accorde, par la présente, l'autorisation de reproduire la totalité ou une partie de ce document à des fins éducatives et à des fins d'étude privée, de recherche, de critique, de compte rendu ou en vue d'en préparer un résumé de journal. Toute reproduction de ce document à des fins commerciales ou autres nécessite l'obtention au préalable d'une autorisation écrite du Président.