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

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**Chair**

**Mr. John Maloney**

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Friday, April 1, 2005

•(0835)

[English]

**The Chair (Mr. John Maloney (Welland, Lib.)):** Good morning, everybody. Welcome. Thank you for coming.

This is the subcommittee of the justice committee studying our solicitation laws in Canada. I'm John Maloney, the chair. With us we have Madame Paule Brunelle, from Trois-Rivières, Quebec; Ms. Libby Davies, from Vancouver, British Columbia; and Dr. Hedy Fry, also from Vancouver.

The routine generally is that we hear presentations of roughly seven to ten minutes each from everyone. That's followed by a question-and-answer period from our members of approximately seven minutes each. Then we go to three-minute rounds of questions and answers until our time has expired. It rarely happens that we don't have any more questions.

At this time I welcome, from the City of Winnipeg, Harry Lazarenko and Harvey Smith, councillors. When there are two presenters, say from the City of Winnipeg, the ten minutes are for both presentations if you are making two presentations. If not, the standard rule applies.

**Mr. Harvey Smith (Councillor, City of Winnipeg):** We haven't consulted on our presentations. They're individual presentations.

**The Chair:** I will still have to restrict you to five minutes each, give or take.

**Mr. Harry Lazarenko (Councillor, City of Winnipeg):** Mr. Chairman, I have my notes here. I would like to have a little bit more than five minutes, because my presentation is very important to this committee.

**The Chair:** Well, all presentations are very important. I respect the work you've done on it. I will certainly give you some leniency, but as we get closer to the ten minutes I will have to cut you off. Unfortunately, in order to get through the whole day we have to stick to rules, and the rules have to be fair to everyone.

Mr. Lazarenko, do you want to start then, sir?

**Mr. Harry Lazarenko:** Thank you, Mr. Chairman.

I thank the committee for coming to Winnipeg to deal with a very important issue.

We have a problem with prostitution in Winnipeg. In November 1999 in Winnipeg there was a court challenge, where a dating and escort service was taken to court. The judge at that time made a

ruling and said that the City of Winnipeg was lacking in supervision, monitoring, and control of the sex trade in Winnipeg. A prostitute would be fined in the same category as a babysitter, because a babysitter provided companionship.

I presented a motion, seconded by Councillor Smith, to set up a committee to investigate and report. The committee met with members such as retired judges, and a comprehensive report was presented to us from the committee.

We were faced with jurisdictions that belonged to the City of Winnipeg, the province, and the federal government. The judge was critical of the bylaw we introduced that in a specific downtown area, dating and escort services and massage parlours would be allowed to operate. No other part of the city had that bylaw. When this motion was brought to council, council members were hesitant to deal with the issue of prostitution. The motion was that we provide a report on the judge's comments and talk about establishing a red light district for the City of Winnipeg.

The question is that prostitution and the drug trade go together. We've had more killings in Winnipeg within the last year that were gang-related, and dealing with the issue of solicitation that some have....

According to the law now, prostitution is not illegal. Solicitation is illegal for the purpose of prostitution. To me it doesn't make much sense. As a Christian I don't believe in prostitution, but if prostitution is here I believe in salvaging what we have, because the exploitation of young children is very rampant in Winnipeg. It's hard to control. The police have provided us with a report. They say that since the new law has come into place it's been hard to control prostitution to the point of providing safety to those who use the services, safety to those who are providing the services...and especially the exploitation of young children.

I know this committee has a very important report to prepare, but I think we have to go in the direction of saying don't keep your heads in the sand. The problem is there, regardless of what belief a person may have. Prostitution does not make choices or pick religions; prostitution is a demand, and those who are demanding it will use those services. People who are coming in from the well-to-do areas, respectable areas, will seek those services.

It's difficult to analyze, prepare a report, and present a report. There is a comprehensive report that your committee will be receiving later from our committee on the sex trade. I am really concerned because I represent an area that is heavy now with prostitution. We've tried everything. The police have tried everything. We had the police department, eleven members of the gang unit, dealing with prostitution. The budget cuts were put in place. There are only five now. The overtime the police are working now.... They're losing control.

I know it's a tough issue. You talk about establishing a red light district, but we have a bylaw that has created a red light district. The downtown area is the only area in Winnipeg that allows the operation of dating and escort services and massage parlours, which are fronts for prostitution. The judge included that in her summation in 1999. They're not allowed to operate in any other part of the city, so in essence we do have a red light district in Winnipeg.

● (0840)

The question is, as soon as you talk about a red light district, as soon as you mention the word "prostitution", it seems to take people by surprise, and they'll say how could you even discuss such things as "prostitution" or "red light districts"?

The question, Mr. Chairman, that has to be addressed, and I'm saying it with sincerity, is that every city in Canada, the United States, and all over the world has the problem of prostitution. I welcome the news I heard that the committee will be travelling to other parts of the country, into the United States, and travelling to Europe. You have to do this research, come back and analyze all the information you've gathered to make a proper recommendation so that members of Parliament then can deal with the issue. There are too many agencies and individual people who don't want to change the law, because they believe in the status quo.

We have some lawyers in the city of Winnipeg who have made as much as \$500,000 a year through the issues of illegalities such as prostitution, gang activities with the drug trade, with the Hell's Angels. They don't want those changes. I'm saying it's time that we take a look at this, Mr. Chairman, and address the issue positively. That is within the rights of each and every individual.

The key element here is to provide safety, safety above all from exploitation of young children. Prostitutes are not born to be prostitutes. A person who is a pimp is not born to be a pimp. If they get introduced to that, the gang activities will be in such a way that they will be going out to the schools and they will show a fifty-dollar bill to a young person. How many children who go to school ever have a fifty-dollar bill? They will show them a limousine and say, "This is what you can be riding in if you do come and work with us."

Mr. Chairman, I could dwell on this, because I've been on this now since November 1999 when that motion was presented.

On the comprehensive report on the jurisdictions, the provincial government has been very silent. On the issue of a safe house that we talked about, they finally introduced that, but the federal government has been silent because they are waiting for the province. The province hasn't.... We've been asking for meetings and we've been stalled and stalled. We are boxed in. We are limited in what we can do as a municipality, the Corporation of the City of Winnipeg.

The issue has to be addressed—it has to be. You cannot have prostitution that is legal. Solicitation is illegal. It doesn't make any sense to me, none whatsoever. It's either you have a person who can smoke and buy cigarettes, or a person who buys cigarettes but cannot smoke. This is the confusion that is caused with a solicitation purpose. People who are using the services are confused. They get arrested, their cars get confiscated.

I've said to the provincial government that what you have to do is not confiscate the cars, but confiscate their driver's licence like you do with alcohol. That is one way you can send a message. And if you don't send a message that is going to be concrete, that is going to have some teeth in it, then I would say forget it; it just will not work. You could meet, you could go, you could travel, but it is not.... You have to have something that will be a positive.

Mr. Chairman, I want to thank you and the committee.

● (0845)

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

I have a couple of points.

The comprehensive report on the sex trade, we'll receive that in a few days, a few months, or...?

**Mr. Harry Lazarenko:** We have e-mailed it out. You should have that when you get back.

We were going to present the report here, but it was not bilingual. We agreed on that because our report is comprehensive. It gives you all the recommendations. Analysts have looked at it. We've had professional people address the issue. It's there recommending the jurisdictions.... It touches the RCMP. The federal judges should be trained to deal with the issues like what we had where a judge in the province of Manitoba chastised, criticized the City of Winnipeg for our lack of enforcement, saying there are no teeth in the bylaw we had introduced. It cost us a lot of money to do that. We repealed that bylaw just last year. The bylaw was presented in 1989. The three levels of government have to participate in order to make some of the recommendations.

**The Chair:** You also referred to a written report, but you gave a very good oral presentation. If you wanted to give us your written notes, we would take those as well as part of our record. You don't have to, but we'd certainly like to have them.

**Mr. Harry Lazarenko:** Mr. Chairman, I have all my notes here, but I just spoke from the.... I can leave a copy of what I have here.

**The Chair:** Or you can forward a copy to us.

**Mr. Harry Lazarenko:** Yes. I can leave it with your clerk.

**The Chair:** Thank you.

Just as a final remark on travel, we have requested permission to travel but have not received final approval yet. But we appreciate your remarks.

**Mr. Harry Lazarenko:** Mr. Chairman, I suggest they'd be making a drastic mistake if they were to refuse that, because there's no way of trying to do something like getting into.... As they used to say a long time ago, "you're trying to fight your way out of a wet paper bag". You just can't do it. You have to travel; you have to go out to see what is happening in other parts of the country and the world, because prostitution is universal.

• (0850)

**The Chair:** Thank you.

I'll quote you in my presentation, with your permission.

**Mr. Harry Lazarenko:** Please do.

**The Chair:** Harvey Smith, could you present now, sir?

**Mr. Harvey Smith:** Actually, Councillor Lazarenko said most of what I had to say, but I want to stress that the report in effect said that prostitutes are victims. I think it's important to realize that, and I think it's important to realize that street prostitution is a very dangerous situation for the prostitutes and for the neighbourhood.

I think it's important to emphasize what Councillor Lazarenko had to say about solicitation. You're not going to have prostitution without solicitation, and it seems to me the public is very unaware of the distinction in law. I think our aim should be to get rid of street prostitution especially. When you travel to other countries, you get to look at what happens to street prostitution when they have different laws and bylaws dealing with it.

I think it's important to not look at just prostitution itself but at what it does to society and to the neighbourhood. There are people in my neighbourhood who have lived there for years and years, and they're being accosted. It's very upsetting for them. It's reached the point where we've had many meetings in my neighbourhood on prostitution with local residents and people from the street. There's always been a theme from people who speak on behalf of the women, in effect presenting it as a lawful activity. It's very difficult for them; the residents don't understand their position.

City council, as Councillor Lazarenko said, is frightened stiff of the issue. We have massage parlours. Most of the massage parlours are illegal, because we charge so much as a licence fee—it's almost \$4,000—so we have them operating illegally. It's out of control in Winnipeg.

The councillors from the other areas think they don't have any problem. But with telephone technology, they do have a serious problem. They just don't want to speak about it or urge any change. People who urge no change, I think, should be talking about what they would do about improving the situation. I haven't seen many suggestions from them that would reduce the amount of prostitution on the streets or in the community.

That's about all I have to say. Are there any questions?

**The Chair:** We'll follow with questions in a few minutes.

Now we have Mr. Peter Veenendaal, from the Reformed Perspective Foundation.

**Mr. Peter Veenendaal (Research Coordinator, Reformed Perspective Foundation):** Thank you, Mr. Chairman.

I would like to begin by expressing my appreciation for being granted time to address this subcommittee concerning the solicitation laws. Speaking publicly concerning matters of political and social policies cannot be taken for granted in many parts of the world, and my prayer is that these opportunities will continue in Canada in the future.

As a matter of fact, this freedom was one of the reasons my parents emigrated from the war-ravaged country of the Netherlands in the mid-1950s. Of course, as a youngster beginning grade school in 1956, I wasn't fully aware of the important decisions my parents had made on my behalf and on behalf of my siblings. But on many occasions we have expressed our appreciation for the sacrifices they made so that we could live with the many freedoms we have enjoyed since then. My parents had experienced the atrocities of five years of brutal Nazi occupation of their beloved homeland, had seen their family business destroyed by the occupying forces, and knew they wanted to find a better place for their offspring to grow up.

Not only had my parents suffered personally at the hands of foreigners who in their selfish ambition had no concern for fellow human beings, but they had also fed and sheltered Jewish men, women, and children, not because they shared their religious beliefs, but because of their Christian belief in the need to care for the vulnerable. This Christian respect for human dignity and the belief of our organization—Reformed Perspective Foundation—that biblical principles have value in all aspects of our lives brings me here to address this subcommittee.

My understanding is the committee is mandated to consider the Criminal Code clauses 210 to 213 dealing with common bawdy houses, living on the avails of a prostitute and solicitation in public places, all issues dealing with aspects of prostitution and receiving money for sexual services. Although there are a number of voices calling for the decriminalization of these offences, I believe these people are misinformed, uninformed perhaps, and are misleading others who do not know the facts.

There is nothing about the activities related to prostitution that in any way promotes human dignity or worth. As a matter of fact, by distorting human sexuality and commodifying human intimacy—both ordained by God for marriage between a man and a woman—what should be acts of love and sexual intimacy are made into commercial transactions without a thought given to any short-term or long-term implications for the people involved. Prostitution is harmful to all its participants, both physically and emotionally. Prostitutes live in constant danger from violent behaviour by pimps and johns, and from sexually transmitted diseases. Many are involved in drug abuse, and many have attempted suicide or suffered depression.

We haven't even touched on the statistics such as come from Vancouver's east side, just one place where dozens of prostitutes lost their lives at the hands of deranged customers. Also, those who use the services of prostitutes are not immune to being hurt. They too will pick up and spread their STDs. Their spouses and children will suffer the consequences of a life of promiscuity and sin. Since statistics tell us that up to 80% of the customers are married men, the practice of prostitution contributes to the breakdown of the family, which should be the backbone of a healthy society.

There is nothing dignified about the prostitution business. It is an activity of exploitation, not unlike the one my parents witnessed in the Netherlands in the 1940s. Then, the Nazis used the Jewish people for their own purposes, and if they resisted they were murdered. Now, too, so often the vulnerable who have been enticed into the trade as young teenagers—sometimes fleeing abusive home situations or poverty in a foreign country—end up dead.

• (0855)

Would anyone in his right mind want to legalize something so dangerous? We impose severe penalties on those who refuse to protect their lives by not using their seat belts. We have clear regulations to make sure those who prepare our food don't put our health in danger. The risks for prostitutes and johns are much greater.

Some may say we have to look at countries where prostitution has been decriminalized—and yes, one is my former homeland, the Netherlands. They may suggest that is the way to solve our problems. On the surface, it may even look pretty good. Officially, the problems seem to be organized into red light districts, with no hookers on residential streets and mandatory health checks to prevent the spread of STDs. But look a little deeper and you will find not only broken homes and disease running rampant, but also a two-tier prostitution system: one tier for those who qualify for the health certificates and charge high prices, and a second tier for those who want to be independent and don't pay income tax.

Prostitution is one of the oldest forms of oppression on earth. Both Canada and the United Nations have recognized this and have called it one of the greatest human tragedies. Government and religious agencies have for years been trying to minister to the many who are hurt by it every day. Let's not open the door wider. It will only let in more cold air. It will only guarantee that many more will face their final solution.

But what can we do? How can we decrease the number of lives that are hurt or are snuffed out in the sex trade in our country? What was that term I used there? The sex trade? Give your head a shake. Have we gone so far as to call it a "trade", a "business", a "legitimate profession"? Does that mean we will begin to regulate the prices they charge? Does that mean we will list prostitution in our career choices books at our schools? Does that mean my wife or my daughter is in danger of losing her employment insurance benefits if she refuses to take such a job? Will the newest hooker training academy be opened along the road my kids take to school? When our country experiences a shortage of so-called "sex trade workers", will we begin to legally import them from other countries to satisfy the demand? Please continue to call it what it is. It is prostitution.

Let's try to solve the problems caused by prostitution by targeting the people who promote it and helping the people who are hurt by it. Here are a few things we can do to begin this process. First, increase the penalties for clients and pimps, especially of juvenile prostitutes. Since when do we condone child abuse? Second, provide preventive education on the effects of prostitution. Third, encourage and support strong Canadian families rather than providing legal ways to cause breakdowns. Fourth, establish outreach services for prostitutes who want to leave behind their lives of being exploited. Do the same thing my parents did for the Jews. Give them food and give them safe places to live. Protect them from those who want to exploit

them. Provide education programs. Most are not where they are by choice.

Thank you, Mr. Chairman. I and those who support Reformed Perspective Foundation will continue to pray for our governments, that they may be bold in ruling our wonderful nation by the principles given in God's work, so that, according to Psalm 33, "Blessed is the nation whose God is the Lord."

• (0900)

Thank you.

**The Chair:** Thank you very much, Mr. Veenendaal.

Next, from the Spence Neighbourhood Association, it's.... Could you help me with your name? I don't want to embarrass you or myself.

**Mr. Mzilikazi Ndlovu (Safety Coordinator, Spence Neighbourhood Association):** My name is Mr. Mzilikazi Ndlovu, but my boss, Inonge Aliaga, will be speaking first.

**The Chair:** Thank you very much for assisting me.

**Ms. Inonge Aliaga (Housing Coordinator, Spence Neighbourhood Association):** We're here to give witness to our community and what we've been talking about at the Spence Neighbourhood Association. I'm going to read; otherwise I'll forget what I was going to say.

**The Chair:** I would just caution you to read at a constant pace, not too fast.

**Ms. Inonge Aliaga:** Sure.

Every resident in Spence—that's the area that's sort of west-central Winnipeg—is faced with the evidence that the sex trade is going on in our community on a daily basis. There are women or girls standing on the street corners at any hour and used condoms scattered in the back lanes and parking lots.

The sex trade is a highly volatile issue in our community. Residents come from varied backgrounds, and discussion on how the sex trade should be dealt with can be heated. The SNA resident committee that deals with safety issues tackled the difficult job of coming to a consensus. It took several meetings over a period of months before the various stances could come to an agreed-upon compromise. This statement was ratified by the SNA board and has been used as a measure for which types of projects the neighbourhood association would agree to support. This is the statement:

The Spence Neighbourhood Association does not support the sex trade. Soliciting for sexual purposes is a crime and must be treated as such. However, we realize that many sex trade workers are victims of society and for that reason we want to encourage and advocate for programs that prevent minors from getting into the sex trade and that will support those getting out of the sex trade. We recommend that the government take a proactive approach in dealing with the negative issues that are effected by the proliferation of the sex trade and to ultimately provide long-term reduction or elimination of these issues within the Spence area.

The first thing the policy says is that soliciting is illegal. The problem that the city police face is that it is almost impossible to convict or prosecute. This means that the people involved in the solicitation process are not easily stopped, even though everyone around them is aware of what is going on. Community members are very frustrated that although they have all the information about the johns and their activities, there is little that can be done to deter them.

In many ways, the community sees the johns as the predators. Many women in the community have stories of being hassled by johns as they walk down the street. Some prey not only on the sex trade workers, but also circle school grounds in the area looking for children, especially young girls, to pick up. The sex trade does not belong in a residential community full of children.

In our community, those involved in the street sex trade are usually victims of society. Most initially get involved when they are children. The children who are most vulnerable are those who do not get the attention or financial support they need at home. They are often initially involved in the sex trade because it provides attention and money. Programs and laws must be put in place to prevent this. This includes education and awareness in the schools, better direct support for families under stress, and a good look at the age of consent and the laws involved in solicitation.

Addiction is involved in the lives of many of the sex trade workers, often from a young age. Initially, it is used as a tool for johns and pimps to gain control over the women or the young person. There are not enough opportunities to leave the addiction and the lifestyle behind. Those wanting to leave the sex trade often have long waits to get effective treatment. There needs to be the opportunity to get help when the person is ready for it, not three to six months later.

Finally, the issues that attract the sex trade to a community such as ours are bigger than the trade itself. Child poverty and addiction are root causes that need to be addressed if the sex trade is to be reduced.

● (0905)

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

For those who have read from written presentations, if you wouldn't mind sharing those with us after the meeting we'd appreciate that as part of our record as well.

Now, from the North End Safety Network, Carolyn Buffie and Myfanwy Cawly.

**Ms. Myfanwy Cawly (Spokesperson, North End Safety Network):** Hello. I'm here representing the North End Safety Network. We're a group of north end residents and agency, business, and other community stakeholders who work to address larger safety issues affecting the north end of Winnipeg. Our group meets to discuss the broader issue and to develop appropriate strategies and plans of action. We focus on areas of advocacy, safety concerns affecting youth and families and elders, prevention and awareness, and community capacity building.

For the purposes of the discussion today, the north end will be described as consisting of 11 neighbourhoods, from the CPR tracks to Carruthers Avenue, and from the Red River to McPhillips Street. The north end is one of the most severely socio-economically

challenged communities in the city of Winnipeg. Education levels are below city averages and the unemployment rate is extremely high. A majority of area residents have not achieved a high school education and average household incomes fall well below the poverty line.

In the north end, street level prostitution is prevalent and visible in our residential neighbourhoods. Persons in the sex trade are often addicted to crack cocaine, which has resulted in the proliferation of crack houses and gang activity in our neighbourhoods, as well as a significant increase in vehicular traffic on residential side streets.

People who engage in street-level prostitution in our area are engaged in survival sex. They are selling their bodies to pay rent and utilities, to purchase food, and to feed drug addictions. Many of the individuals engaged in prostitution are supporting families and children. Children as young as eight years old and youth under eighteen have been seen soliciting on our streets. This age groups represents a significant number of persons selling sexual services. This is a blatant exploitation of our youth and children.

Gang-related criminal activity connected to street-level prostitution destabilizes our communities and negatively impacts on families, residents, business, local schools, community centres, and health clinics in our area.

The recommendations for action we are requesting include that the age of consent to participate in sexual activity be raised from 14 years to 18 years. It is our conviction that all instances of adults purchasing the services of children for sexual purposes must be prosecuted as child sexual abuse, and appropriate punishment must ensue.

We encourage all levels of government to focus on the social problems that are demonstrably linked to the occurrence of street level prostitution and not on moral or legal issues. We ask that programs be developed that will enable people to fully participate in Canadian society and to have their basic human rights upheld. These include housing, education, employment opportunities, child care, and medical care. We request that professional, effective treatment for drug addiction and sexual abuse be provided for individuals engaged in prostitution, as these are common issues that are contributing factors.

Our view is that the Swedish model for decriminalization does not directly address the issues of poverty, lack of education, abuse, exploitation, and racism, as experienced by individuals engaged in street-level prostitution. Currently, municipal, provincial, and federal infrastructures are not equipped to support this type of legislative change. We ask the committee to take all these issues and aspects into consideration before changing any laws and to be aware of the implications for further stresses on municipal, provincial, and federal resources.

● (0910)

In our opinion, decriminalization will lead to the further exploitation of the most vulnerable and marginalized people in our society. We believe increased law enforcement efforts should be directed towards those who recruit people into prostitution and keep them there, those who benefit from the prostitution of others, as well as persons who purchase sexual services, rather than towards those who are prostituting themselves or being prostituted.

Thank you very much.

**The Chair:** Thank you.

From the North End Community Renewal Corporation we now have Nanette McKay.

**Ms. Nanette McKay (Executive Director, North End Community Renewal Corporation):** Good morning.

My name is Nanette McKay. I'm the executive director of the North End Community Renewal Corporation. Our organization exists to promote the social, economic, and cultural renewal of the north end of Winnipeg. I'm pleased that the north end is well represented here in your witnesses, because certainly it's a hot spot for these issues in the city of Winnipeg.

The work of the renewal corporation is achieved firstly through application of community economic development principles, secondly through the use of community-based strategic planning processes, and ultimately through partnerships with community organizations in the areas of housing development, community development and safety, business, economic development, education, and employment development.

So we work with whole communities, not on any individual issue itself that needs addressing, but for a whole revitalization strategy. We work long term. We work holistically. And social and economic issues are held together as part of a revitalization strategy.

I don't think you'll be surprised to find that legalization of the sex trade is not one of the priorities listed in our organization's five-year plan for community revitalization. Our plans are made through broad community consultations in business, residential, and organizational sectors of the community. The community has articulated to us very clearly that their priority for investment and government resources is stabilizing and building housing, making safer neighbourhoods through crime reduction and jobs, and establishing more vital local economies.

While we experience the day-to-day frustration of prostitution taking place on residential streets, as has been articulated by others, legalization does not meet the needs of our community at this time. Prostitution and the sex trade have been a part of the character of the north end for a hundred years. Our community was the starting place for many of Manitoba's immigrant population. It's a working-class and lower-class, lower-income community, with a railway running through it, so prostitution has been an economic activity taking place in some part of our neighbourhoods ever since the beginning. And in recent years increasing poverty and a growing gap between rich and poor have given rise to increases in the occurrence of prostitution, increases of younger children being drawn into and abused by the

sex trade, and a profusion of health-related safety and social by-products of economic deprivation.

I would also like to add that the citizens of our community have been very active to become informed about prostitution and the sex trade, and have been very actively engaged in finding solutions for the whole community. It's not been something that people have been asleep on. We've been working at this consistently for some years.

As an organization with a mandate of community revitalization, in an area that sees the sex trade as a significant obstacle to achieving our vision, I would like to say to you that legalization will not help our community accomplish our goal. We do welcome the government's broad and comprehensive attention to this issue, and hope that this will be an opportunity to look not only at the matter of legalization, but also at the issue broadly.

A number of concerns have been raised in our community, and I want to articulate four of them.

Number one, we do not believe legalization will increase the safety, the economic well-being, or the health of sex trade workers in our community. There are others here who have spoken in more depth about the needs of women and men involved in the sex trade, and the children who are victims of abuse under the same system. I'd simply like to say that the countries that have legalized the sex trade have seen an increase in the size of the sex trade, two-tiered systems of legal and illegal activity, unabated health and safety concerns, increased risk for children, to name only a few of the issues.

So it's not something that I would see us undertaking lightly in Canada. Other than for Hollywood madams, street prostitution is one of the symptoms of poverty, in our context. Unless related economic and social considerations are addressed, vulnerable persons will continue to find themselves with no other viable option.

● (0915)

My second concern is that legalization creates a new barrier to the enforcement of laws and protection of persons. The current condition—trying to catch a transaction taking place and to prove that is an illegal one—is difficult enough for police services. With the legitimacy that legalization brings, enforcement of laws that would protect people in this area of work will be increasingly difficult, with no window into the private sphere where the violence and corruption is taking place. The kinds of challenges women and children are facing in this environment begin to move farther and farther from public view.

My third point is that legalization will further stigmatize our neighbourhoods. I'm imagining the sex trade storefront right next to the cheque casher, the pawnshop, the rent-to-own, and the other predatory and disheartening storefronts that lower-income neighbourhoods experience. Their proliferation is never tolerated in higher-income communities. I was going to propose that if legalization occurs then these industries should only be licensed in neighbourhoods with an average income over \$60,000. Then the "eyes on the street" effect that comes with money might do some service in the protection of people involved in this industry.



If we look at the poor investment that has taken place in addictions resources after the government became engaged in gambling operations, or if we look at the limited resources available to curtail the drug industry—and we know there's a legal drug industry as well as an illegal drug industry—I think it's fair to say that there's not a good record of government being able to legalize activities involving vulnerable people and protect them at the same time.

My fourth point is that children are the most vulnerable to the direct effects, and the side effects, of the sex trade. Legalization will make more children unsafe, both those who are drawn into the industries inevitable underside and those who try to walk to school and play in the parks of the neighbourhoods where we have just told johns it is okay to come seeking the sex trade. Before even considering legalization of the sex trade, a good government would increase the age of consent so that children are not further brutalized by the court system while society is trying to determine whether a 14-year-old really chose to get into a car with a man.

In a theoretical environment I would say that legalization is a possibility after a massive investment of resources for health care, protection, and enforcement for the sake of the vulnerable—a massive investment in community revitalization and economic development.

I add my thanks for this opportunity to speak about the holistic issue that we face on a daily basis in our community, and to speak a little bit about our hopes for a broad-based response and more public attention for the plight of low-income women and children, and communities as a whole.

Thank you.

• (0920)

**The Chair:** Thank you, Nanette.

From the New Life Ministries, we will now hear from Harry Lehotsky.

**Rev. Harry Lehotsky (Director, New Life Ministries):** Hi.

My written comments have already appeared in the *Winnipeg Sun*, so I'll read some of them and then we can go further if need be. Also, on some related topics...and I have a couple of copies that can be passed over, but this is specifically about the prostitution issue.

I started by taking a shot at some of the young Liberals. I don't want to make this a political issue, but I just noted that a few weeks ago some young Liberals and older Grits introduced a resolution to erase the part of the Criminal Code that outlaws communicating for the purpose of prostitution. It seems that's their sorry political way of dealing with crime—redefine or wipe out the words that define it as a crime. Part of their resolution claims that the sex trade is a profession central to the subsistence of many Canadian citizens.

Do they realize what that sounds like? It's like some crass claim that some women are whores, always have been, and always will be. I think it's horrible that people would justify something by virtue of the fact that it's existed for a long time.

Pedophiles have been around for a long time. Do we create a safe place for pedophilia where people are more open and available for treatment?

Spousal abuse has gone on for a very long time. Is there a place where we somehow facilitate that or make it a little easier so that we can take it out from behind closed doors and get treatment for people?

It's absurd to try to advocate for something to be allowed just because it has occurred. If it's something that's harmful to people, it needs to be addressed.

They are just repackaging the stale claim that since prostitution is the world's oldest profession we should just leave it alone. Actually, farming preceded prostitution. Still, they suggest that since we haven't yet stopped prostitution we should quit trying. Instead, we should try to regulate it.

What would happen if advocates extended this logic to rape, incest, wife beating, and racism? They're also among the oldest practices on the face of the earth. The argument is strikingly similar to that of slave traders. They argued it was the best option available to some poor people. They claimed they were doing poor folk a favour. I'm thankful abolitionists didn't swallow that garbage.

It's not only young Grits who support the scheme to decriminalize prostitution. The most naive and negligent contingent of many groups seems to support the notion. Some leftists and socialists will seize any opportunity to tax another poor worker. Some Conservatives see their potential profit before the pain of others. In a libertarian's imagination, it all works out and nobody gets hurt. The trouble is we don't live in their imagination; we live in the real world.

It took the cake when I heard some association of physicians actually support the notion. I figure they must have taken some hypocritical rather than Hippocratic oath. Nobody with the charge of health and protection should support legitimizing sexploitation. It harms people mentally, physically, and spiritually. As a minister I often get accused of the moral stuff, but let's set morality aside, if we could pretend to do that for a second, and talk about how it just harms people—mentally, physically, and spiritually. There's no way around the facts.

Advocates argue that legalization would expose the trade to regulation. That's a farce. The potential of regulation doesn't equal the reality of regulation. We can't license inanimate objects like guns, and now we're going to license an activity, and people with legs and a mind of their own? It's a farce. The potential of regulation does not equal the reality of regulation.

We have regulations against over-serving in bars, usury by lenders, and the enforcement of both is mocked on a daily basis. The City of Winnipeg already can't handle enforcement of escort and massage parlour licensing. We need to give them more that they can't handle? With all the talk about a red light district, we can't handle what we already have. We have at least three times as many illegal places as legal ones, for an activity we're still burying our heads in the sand about in regard to what's really going on in those establishments.

• (0925)

Advocates argue that legalization will bring in taxes to increase outreach and enforcement. No. Instead, it will hamper support for exit programs, because it will increase the tolerance for the activity. It will increase exponentially the sex tourism and illegal trade that requires enforcement. Winnipeg's history is a good testament to that. When it was more operational here in certain parts of town, the tourism industry was amazing in those areas—certain kinds of tourists that I don't think are great for Winnipeg.

Tax evasion runs rampant in the sex trade. The Prostitution Information Centre in Amsterdam states that only 5% to 10% of prostitutes in the Netherlands pay taxes.

Advocates argue that legalization will regulate the health of prostitutes. No. In Australia's Victoria, decriminalization of prostitution hasn't helped. One study indicated that between 2000 and 2002, there was a 91% increase in women presenting with HIV infections. A study in Melbourne found 40% of customers had used prostitutes without condoms.

Drug-addicted or infected prostitutes in Reno can't work in the legalized venues—and we've heard other people talk about the two-tier system. That doesn't mean they quit. They just work elsewhere, illegally and cheaper. What can cost \$200 in a legal establishment, where somebody gives you a bill of clean health, can cost only \$20 in a back lane. There are way too many value-conscious Winnipeggers to propose such a useless regulation scheme here.

Advocates argue legalization will eliminate the control by organized crime. That's not true. The legalization of gambling and provincial VLTs hasn't stopped the proliferation of illegal gambling in Winnipeg. A Vancouver cop commented that organized crime is quite happy when governments become proponents of gambling, because that simply increases their player base. Legalization allows government to profit from misery, with an occasional kickback to addiction services as a salve to their collective conscience.

After legalization and regulation of brothels in Australia's Victoria, police estimate there are 95 legal and 400 illegal brothels, or four times as many illegal brothels. Did it stop organized crime? No.

In Amsterdam, the mayor recently complained that it appeared impossible to create a safe and controllable zone for women that was not open to abuse by organized crime. I don't even know that you need to go there. If you go there, are you going to see the women who are being trafficked into the country for abuse and use in these places? Are you going to go behind the bus depot and the other places where residents...?

Go to Rotterdam, where people already are picketing and pushing for the police to patrol their neighbourhoods where street prostitution still exists. Making it fine behind closed doors with a piece of paper didn't help anybody there, except maybe a few people who are getting rich off of it. And other neighbourhoods are still demanding the removal of street prostitution. Sound familiar?

Advocates for legalization argue that it removes the stigma from prostitutes, as if legalizing it will suddenly cloak prostitutes with self-respect and community honour. No. In the Netherlands, many women don't want to register in the legal trade because they're afraid of losing their anonymity. I wonder why.

I'm getting to the end here.

Some want enforcement on the customers, but not on the providers. Let's go after the johns, but not after the prostitutes. It's like this. Prostitutes are victims. Well, sometimes victims can victimize too. I live in a world where I've seen it happen many times, so I don't think it's fair to target one without the other. Both parties who engage in an illegal and harmful transaction need enforcement and help.

It's odd that some people want enforcement on the customers but not the providers. Some of those same people want the opposite with the drug trade, enforcement on the providers but not the consumers. That's really inconsistent. I figure both ends of both transactions are deciding to continue a harmful trade and should bear equal responsibility for stopping.

It's confusing and contradictory enough when Canadian courts assert that prostitution is illegal but communication for the purpose of prostitution is illegal. Legalizing, decriminalizing, accommodating, or legitimizing exploitation and harm is wrong. At best, it's naïveté. At worst, it's malfeasance and outright negligence.

Thank you.

• (0930)

**The Chair:** Thank you, Harry.

Harry, you make reference to foreign sources and statistics. I think our researchers would like your copy of that.

**Rev. Harry Lehotsky:** I'll provide you with some of those later on. I don't have them with me.

**The Chair:** No, you can—

**Rev. Harry Lehotsky:** You've already received such testimony in other jurisdictions. I'm pretty sure they've made reference to those statistics, but I'll make sure you get them.

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

Now is our question and answer period. Again, it's seven minutes, question and answer.

I would also like to welcome Anita Neville, member of Parliament from Winnipeg here this morning. Thank you very much for coming.

We will start with Madam Brunelle. Madam Brunelle is from Quebec. Her mother tongue is French. She will be asking the questions in French, so we have little translation devices in front of you, which sometimes take a little bit of screwing around to get to work. It's not the device's problem, it's just that sometimes we have difficulties trying to figure it out.

[Translation]

Ms. Brunelle.

**Ms. Paule Brunelle (Trois-Rivières, BQ):** It is a pleasure to meet with you this morning. The diverse points of view that you have expressed echo what we have heard almost everywhere in Canada.

Mr. Lazarenko, you said, rightly so, that safety was the essential aspect. The purpose of this committee is to improve safety for prostitutes and people living in these neighbourhoods. So our work and our attempts to counter all of this prostitution are based on that aspect. Moreover, we are trying to look at how it might be possible to put an end to the violence women often face.

I would like to tell you about operation Snapshot, which was undertaken by the Winnipeg police. They videotaped clients as prostitutes got into their cars, and then put the pictures on the Internet. I would like to know how people reacted to that operation. Did that raise any privacy issues?

In addition, several sex workers told us that when they were registered or stopped by the police, they would move on to other neighbourhoods where it was darker and where conditions were more difficult, and that put their lives in danger.

What do you think about that operation? Can you tell me a little more about it? The question is for everyone.

• (0935)

[English]

**The Chair:** Would anyone like to start? Mr. Lazarenko.

**Mr. Harry Lazarenko:** When the City of Winnipeg proceeded to start some regulations and also control, we had gone to the system of advertising the names of the johns who were apprehended by the police. We had a problem with that because we were faced with the legality of people being named with a wrong name, such as John Smith. There may be a lot of other John Smiths. There was a case where one person even committed suicide. We stopped that process.

We went into areas of high levels of prostitution with cameras—the police were doing that with cameras—and placed it on the Internet, the web page on a computer. You must understand that a lot of people don't have computers, and those who do don't show an interest. That in itself is working to the point that a lot of people will look at that web page the police have and they'll find the interest to say this individual vehicle was there. It doesn't prove anything.

I stated before that for the police to apprehend and detain someone who has been caught dealing for the purpose of solicitation to communicate with a prostitute, and what happened was that... I'll give you an example. A person drove a Porsche vehicle, an \$85,000 vehicle, which happened to be his wife's. He was apprehended. He was on pins and needles. He was detained and he said, "I'll pay you whatever I can, but please let the car go because I don't want my wife to find out that I was doing what I was caught doing." The police

could not, because we have a law that says they can apprehend a vehicle.

That's why I said here, take away the driver's licence of the individual person, just as you do when people are caught for impaired driving. You send a message.

Prostitution is all over the world, and it is a problem. I have to say once again that we cannot just bury our heads in the sand and say it's not my problem because it's not in my neighbourhood.

When I talked about the safety, the safety for those who use the services, those who provide the services... The judge for a provincial court of Manitoba had made it very clear—and I challenge anyone to say that he's wrong—in saying supervision, monitoring, and regulation of the trade. The judge did not say to legalize prostitution, and I'm not saying that either. I'm saying, the establishment, the word "establishment", of a red light district that we have now in place, as Mr. Lehotsky alluded to, but it is not being enforced because we have no mechanism to enforce it.

Solicitation is the only subject the police can deal with, because prostitution is not illegal. It causes confusion to people who read in the paper, see on the news, or see a prostitute standing on the corner of the street. They'll say there's another one of those.

I've said this many years now. What makes a prostitute? What makes a pimp? What makes a person get into the criminal element of drugs or other...? There has to be an element that starts them off in that direction. I've said also, how many children will walk around and carry a fifty-dollar bill? None who go to school. My children never had that. But they know how to use psychology to a point of introducing the drug and prostitution trade to the point of that mighty dollar that is tax-free.

• (0940)

That's why, Mr. Chairman, I have to say one more time, please go and see what is happening in other countries. I don't care what the cost is, Mr. Chairman. We're talking about an issue that affects the safety and health of every individual person, whether in Canada, the United States, or any other part of the world. You have to. Those who will be opposed are speaking as I described before: they don't want to change; they want the status quo.

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

Harry, could you present?

**Rev. Harry Lehotsky:** Displacement should not be a reason for not pursuing enforcement. The idea people will move to another neighbourhood shouldn't stop us when we try to ensure the safety of people who are victims of spousal abuse or pedophiles. If the pedophile moves because we are vigilant in one place, we follow them. If the activity revolves around exploitation and it moves, we follow it, and enforcement needs to be diligent.

Privacy? I don't think a person willing to pull out their weenie in public has any right to privacy. It is just a difficulty for me to comprehend how somebody could say they have a right to privacy. I understand that posting the whole thing—the prostitute's face, the person in the car's face, everything—on the Internet would cause trouble, but maybe the best way to deal with it is to take the undoctored video the police have taken and deliver it to the home of the person who holds the licence for that vehicle.

In our community group—just community residents, no church members there—there is very solid support for this. We're working with the police, indicating what kind of signage we want up just in terms of cameras available. I think that's a good thing.

**The Chair:** Thank you.

Anyone else? Peter.

**Mr. Peter Veenendaal:** Thank you, Mr. Chairman.

I too was tuned into CJOB here, so I didn't hear all the member's remarks.

Councillor Lazarenko suggests that perhaps a fact-finding trip to other parts of the world would be in order. I have a real problem with that. Mr. Lehotsky gave us a lot of information already about what's happening in other countries. For us to send MPs out to different parts of the world, costing how much for each individual—\$40,000 or \$50,000, maybe more, I don't know.... Of course, some government people end up spending a lot more on their trips than that.

I think that information is all available. Are we prepared to accept it from these different organizations, or are we going out there looking for very specific information we would like to hear? Of course, we can manipulate that as to where we visit.

If we talk to the social agencies in the different parts of these cities, such as those we have representatives from here in Winnipeg, I think we'll find the very same information we've heard here today. There's no need to go out and spend all the taxpayers' money to get that same information.

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

We'll move on now to Ms. Davies.

• (0945)

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

First of all, thank you to the witnesses for coming today. It's been a very interesting discussion.

I just say, in terms of our request to travel, it's not because we're setting up a situation to go and get the information we want to hear. I can assure you of that. We want to visit places that have gone through significant change and actually look at whether it's working or not, and to hear different perspectives on that. I don't think any of us are interested in just running off somewhere and having people tell us what we already want to hear. That's not the point. I don't accept your comments. But whether or not we'll be approved to go is another matter. We'll have to find out.

We've been told by a number of experts that street prostitution is about 5% to 20% of the whole business. Of course, most of the public debate and the attention goes to street prostitution because that's where the impact normally is felt: in local communities. I'm from Vancouver, east Vancouver, and I certainly relate to most of the issues that have been brought up here, in terms of working with local neighbourhoods that have been impacted by the sex trade.

I have a couple of questions.

Mr. Lehotsky, I don't know whether you've campaigned with the same kind of energy to shut down escort agencies. One of the things we're dealing with is the contradiction in the law. As many have said, prostitution is not illegal. So if we take your position, I assume that you're suggesting to us that we go back and that we come up with some law that says prostitution itself is illegal. If that's what you're suggesting—and I would assume that from the remarks you've made—then I'd like to know how you propose that be done and how it would be enforced and how we would then deal with the escort agencies. I presume you're talking about a zero tolerance and a total shutdown. This is one question that maybe you could answer.

And then I have a second question to the councillors. And thank you for coming and sharing with us the work that you've done. As a former municipal councillor myself, I know it's a really hard issue to deal with. You have to try to deal with the reality, and also with people's concerns. But in terms of what you are trying to propose for Winnipeg, in terms of some sort of zone of tolerance, or you call it a red light district, I'm just interested to know a little more about how you see that operating. Also, what is the situation here with the escort agencies? How are they licensed by the city? What kinds of regulations are there? How closely are they scrutinized or not? Or is it just something that's basically they're there, people know it, but it's generally tolerated and they turn a blind eye? That would be my other question.

**The Chair:** Harry, would you go first, please?

**Rev. Harry Lehotsky:** Yes, I do advocate a zero tolerance. If prostitution is, at its core, exploitation of women, and the men who are working in the trade as well, then solicitation should be a crime, whether it's done on the street or behind closed doors in an establishment, whether it's done by rich or poor, the people who can afford the escort services or those who can't and go out on the street. We should be consistent in what it is we're doing.

I think the City of Winnipeg is patently dishonest when it comes to this. They have a licence category for massage parlours and escort services, and it's all nudge-nudge, wink-wink, we know what's going on, but, you know what, we're going to charge \$4,000 for the licence for an escort service or for a massage parlour, but we don't really want to admit, we don't want to say out loud, that there's prostitution going on in there.

**Ms. Libby Davies:** Would you close down all of them?

**Rev. Harry Lehotsky:** Yes. It's totally a farce that the city government would profit by \$4,000 from an institution where they don't even want to admit what's really going on there, but they want to devise some regulation scheme around the edges of the activity.

**Ms. Libby Davies:** So let's assume for a minute that every escort agency, every massage parlour, is closed down, that there's a zero tolerance to street prostitution, cars are impounded, people are put up on the Internet, billboards, whatever. What do you think will happen? What do you think the impact will be? Do you think prostitution will go away? Where will it go? What harm or good will be created, in terms of people being absolutely invisible, particularly the sex trade workers?

● (0950)

**Rev. Harry Lehotsky:** They will be invisible even if you cover some of them with legislation and put some of them behind a respectable door of an agency. There will still be many invisible people getting hurt, and doing the hurting.

**Ms. Libby Davies:** But under your proposal, will they be better off? Will they be better off?

**Rev. Harry Lehotsky:** I think fewer people will be involved in it. There are many more law-abiding people in this country than people give credit for. The legalization of gambling expanded exponentially the number of people involved in the activity, so when it was illegal, fewer people were involved. Going back to that place where it is illegal and where the consequences are clear, where our judgment of the activity is clear.... It's so nebulous now; no wonder people are confused as to I can do this, and it's not really doing anything wrong. If we come down clearly on something and say it is exploitation, and it's wrong to take advantage of other people.... To penetrate people repeatedly in every imaginable orifice is not a right thing by many different people. It's not a healthy thing. Nobody would want their daughter doing it.

So if we're very clear on it, I do think fewer people will be doing it. We will never totally wipe it out.

**Ms. Libby Davies:** But we'd never know, then, because we'd never be able to find out. There is an argument to be made that if something is illegal, and you never know the level of activity, then when something does become legal, it's not necessarily because there's an increase; it's just that what was invisible becomes visible.

**Rev. Harry Lehotsky:** In other areas where certain questionable activities that were prohibited have been allowed, you've seen an exponential increase—in terms of gambling addictions, in terms of alcoholism, and everything else—

**Ms. Libby Davies:** Could you provide the evidence of that, please, to submit to the committee?

**Rev. Harry Lehotsky:** Sure. There was one published just.... We're leading the country, I think, in gambling problems, and the number of gamblers—

**Ms. Libby Davies:** No, but is there an increase over what it was before?

**Rev. Harry Lehotsky:** Yes, okay. I'll provide some of that. If I have the e-mail addresses, I'll be able to send some of the information.

**The Chair:** Thank you, Ms. Davies.

Mr. Lazarenko, there was a question directed to you.

**Mr. Harry Lazarenko:** Thank you, Mr. Chairman.

I like the questions. I really do. I think this is a way to get this into momentum, to try to address the issue of what is before us.

The licensing the City of Winnipeg has introduced wasn't just now. I got on council back in 1974. At that time we had a problem with massage parlours. A proprietor had something like about eight of the premises. It was mostly in the downtown area that he set up massage parlours.

We tried to use enforcement, but you couldn't, because there's a legal way of trying to get into a building for a reason; if not, the police can be charged—invasion of private property, of privacy. We proceeded then to introduce a bylaw dealing with the licensing of massage parlours, dating, and escorting. Before that, the fee was something like \$20 a licence. We increased it to \$3,000. A proprietor at that time—this was around 1975—had come to me and he had said, "Harry, I'll tell you this much. Put it up to \$10,000. I don't care; I make that in one night." In the City of Winnipeg he said that—"I make that in one night".

So we tried that as a deterrent to discourage others from going, but what happened was a lot of them—most—went underground. They started operating by having people phoning out of their apartment blocks, out of their homes, being the messengers, to send the client to a place where they could provide the business.

When you talk about zero tolerance—it's impossible. As long as there's a sex drive for a male, you will never curb prostitution. It's as simple as that. It's there, and it's being used, one way or another.

The issue or problem you asked about was what we did with the licensing, dating and escorting and massage parlours. The judge, Susan Devine —November, 1999—made it very clear in her summation. She had said they were a front for prostitution, and she didn't allude to whether there was solicitation; the words were "a front for prostitution".

● (0955)

**Ms. Libby Davies:** And what was the impact of her ruling? I actually wasn't quite clear on that. She made a ruling that limited it to one area?

**Mr. Harry Lazarenko:** No, no, her summation was that the city was lacking in the supervision, monitoring, and regulation of the sex trade, or the licensing of a particular dating and escorting service. One agency of that service was charged under the bylaw and went to court. Most of them don't even bother getting a licence, and there's no way the city police can go and check every building to see the kinds of activities going on; we don't have the resources. We're trying to get people to be licensed so that we can monitor and regulate and have some control.

When the police are faced with the issue of calls from individual people about activities on a certain street—that the prostitutes are out there and the johns are going there—the police act on it. They have undercover police who work in that department. The police have unmarked vehicles that they use; they'll use anything from a station wagon to a van to an old beat-up half-ton pickup, or an old car, to try to camouflage themselves.

I have been involved with them. In some cases, they've been monitoring a particular address for as long as two weeks to one month, because they fear going to court and having another judge make a ruling throwing that case out, saying, "You don't have anything in the monitoring. You do not have any teeth in the bylaw."

We as the municipality of the City of Winnipeg are limited in what we can do. We have to depend on the actions and laws of the provincial and federal governments to give us some authority. You cannot work in an empty barrel, so to say, and try to control something that you can't control.

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

**Mr. Harvey Smith:** Can I add to that?

**The Chair:** Go ahead, very quickly, please.

**Mr. Harvey Smith:** I just wanted to say this: All of the people here who are talking about the existing...or supporting what we're doing now or toughening it up, I haven't seen them at city hall saying that. Our department has gone down from eleven to four. If they want crackdowns, I think they should have been there saying we need more resources. I haven't heard from any of them in that way at city hall. I want you to be aware of that.

So when they talk about toughening up or zero tolerance, I think they should be at city hall asking for that.

**The Chair:** Thank you, Harvey.

Dr. Fry.

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

I just wanted to make a comment about the travel, because I think there is a misunderstanding about it and I want to clarify it.

Most standing committees of the government travel on issues for which they're looking to find the answers in things that other countries have done that may or may not be working. If you're only going to read the literature, we shouldn't even be travelling around the country here or listening to you. And we are listening to people saying no and people saying yes and people giving us various opinions.

One of the things about reading the literature alone is that you get an academic or one-sided view that is based on statistics only. We have found a great deal of benefit here in this country talking to people about what certain pieces of legislation, zoning, and other things have done for them. Some of them are very negative and some of them are very positive. We're hearing different sides.

We need to find out whether the thing actually does work, the difference between policy and how it actually works on the ground. So I always wonder if the reason people are opposed to this committee travelling, when other committees travel to find out information—from other countries to Canada and vice versa—is whether it's the issue that we find so distasteful.

And that brings me to the issue of the physicians. The Canadian Medical Association's position on this is not that we think this is a great thing. We're saying that it's a public health issue. If any other public health issue in this country had as high a degree of disease and death and violence associated with it, we would be out there trying to do something about it.

So I think what we are looking for in this committee, and we've heard from you about your various positions, is what we do to deal with all the negative impacts of this problem on the women and on the communities in which they live. And many sex trade workers have told us that they are members of communities too, that they live in certain residences, places where other people live, and they don't like to be seen as non-people in communities.

What we're hearing is that there should be zero tolerance on the one hand. No one that I have heard is talking about full legalization because prostitution itself is legal, as you've all pointed out; it is just some of the things that are wrong.

I think what we have heard, though, and this is the question I'd like to ask, is that in many places where you have had zero tolerance, it hasn't worked. You talked a lot, Mr. Lehotsky, about how alcoholism and those kinds of things increase once you legalize it. I would like to say to you that alcoholism is the prime example of what happened before it was made legal and regulated in terms of age limits, where you drink, how you drink, etc. Because before that, when there was prohibition, it created the biggest underground crime syndication in all of the United States.

No one is suggesting that zero tolerance works, but no one is suggesting that the status quo is working either. And what we need to know from you is, what about these women who, everyone has said, have been exploited to the nth degree? Does it help to criminalize them? Does making criminals out of them in any way help them? What is it that would help? We need to talk about adult prostitution and about children. It is currently fully illegal to have anyone under 18 involved in this trade.

So I think we need to talk about a broad base of measures and not simply the law. We need to talk about prevention, we need to talk about harm reduction for people who are currently there—all of the disease and death and violence. What are we going to do about that? What are we going to do about drug addiction and how do we ensure that we deal with the harms associated with it? This is what we want to hear—very balanced decision-making. Pendulum swings do not work, either one way or the other. I think everyone can see that that is true in the history of the world.

So I want to get some answers. First, how does criminalizing women, who everyone feels have already been exploited, solve the problem? And what do we do about the street prostitution that carries such a high risk? Those are some questions I would really like to hear some good practical solutions for.

Thank you.

• (1000)

**The Chair:** Harry.

**Rev. Harry Lehotsky:** In terms of regulation, I'm not sure whether I'm hearing that it's regulation that drives people underground; therefore, to help them, you need to remove the regulation to bring them above ground so that you can help them. And I think that—

**Hon. Hedy Fry:** Excuse me. Before you answer a question that I did not ask, I'll clarify. I spoke about alcoholism and I said that when you legalized and regulated the sale of alcohol, it got rid of the underground organized crime. That's all I'm saying.

**Rev. Harry Lehotsky:** That's a huge shock to me that it got rid of the underground, because we have multiple booze cans in our neighbourhood and illegal service of all kinds—service to minors. We have a horrible problem with underground involvement in alcohol in our community, from brewers to....

We have all kinds of stuff happening. So if you want to travel, maybe before Amsterdam, come to our neighbourhood.

We have houses across the street from the community centre where alcohol was being distilled on the premises and sold. We have problems with licensed establishments opening up after hours and selling. We have problems with youth being able to go into places and consume alcohol.

Again, the whole premise—I do believe it is a premise—of removing the regulation, the prohibition on certain people, makes the whole thing more open to regulation. I think the difficulty is that you don't want to remove the regulation on age limits for kids, so that we have them more available for treatment and we can talk more openly about things.

**Hon. Hedy Fry:** I think I said I didn't talk about removing regulations.

**Rev. Harry Lehotsky:** But you applauded the removal of prohibition because you said that took care of the underground. So that's one thing there.

In terms of the safety of women and criminalizing them, I think most women who are involved in the trade would be safer in jail than on some pig farm. They'll be safer in jail than in some of the places where guys come in and still insist, even in legalized brothels, that they want sex without a condom. Even in some of the legitimate ones, some of the studies have shown that up to 40% of the women feel pressured to have sex without a condom—even in legitimate establishments, when without consequences they were interviewed on that.

So the notion of safety is very much exaggerated, and I do believe most importantly, beyond even if it's good to have this legislation, we need to be clear about what's right and wrong, but as a position, and as a minister, we probably agree on many things but one thing especially: that people need treatment options. Unfortunately, what I find is that there's more and more talk about outreach to prostitutes and to the customers, and fewer and fewer treatment options available to them.

When I've had prostitutes come into the church and say they want to get off the street now, there has been zero place to bring them. There is a three-month waiting list for some of the programs they would use to better their circumstances. Yet we're still hiring more outreach workers to go out there and tell them to get off the street. If they say they want to get off the street, there's no place to send them, when they want to go somewhere.

So if we really care about these women, let's not relax the laws on exploitation; let's increase the options for treatment.

• (1005)

**The Chair:** Thank you.

Mr. Lazarenko, please.

**Mr. Harry Lazarenko:** Thank you, Mr. Chairman.

I believe the question was on the issue of health. It is a health issue, safety and health. This is what the report I presented to you deals with as the number one priority—the safety and health of every individual person. It also talks about exploitation of young children.

I did not come here to debate the issue of whether the committee should travel on a seek-and-find mission. I encourage you to please go, and if anyone talks differently, they don't want any changes.

Dealing with the booze camps, please, Mr. Lehotsky, give us the addresses. There is enforcement. That is an illegal booze camp. It is illegal, so we can act on it. But as Councillor Smith said, we don't get too much input from individual people to come to us as a delegation and say "Look, this is a problem."

We'll handle it, anything that deals with the law. With bylaws in the city of Winnipeg, we can handle that. Our police will enforce that bylaw and the laws that illegal activities fall within.

Our report is on the Internet web page, the report that deals with the sex trade, the committee's report on prostitution, regulation, monitoring, supervision, as was emphasized by the judge. There's a full report, the judge's summation, about three pages of it. It talks about the issue of children, the issue of health, the issue of the medical profession and their concern as to what is happening—lack of control, dealing with the health issue.

We've had cases where people have gone out, solicited themselves to a point, and then told the police, "I am carrying the deadly virus AIDS; therefore, I am getting my revenge, and I'll pass it on to whoever I can." That is a concern. It's actually criminal.

On the three levels of government, Canadian parliamentarians, members of Parliament, have a responsibility. Your responsibility is to address this issue and do whatever you have. You've come to us here today, and I as one, as well as Councillor Smith, from the city of Winnipeg, have given our input, our views, and our recommendations, what we're asking for.

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

We'll move on to Nanette.

**Ms. Nanette McKay:** I think the challenge in this work is to find accurate data. I don't trust a lot of data in this field because of the invisibility of the activity. I think to base a decision on whether it's 5% or 20% of prostitution that takes place as street trade, for instance.... It's very, very challenging to draw accurate numbers. It's very hard to create an environment in which there's a neutral effect for people engaged, either as johns or as prostitutes, in the field. When you get into the more vulnerable persons, like children, it's very difficult.

I think I would challenge the idea that numbers are what's going to determine what needs to happen here. Do we know whether legalization increases occurrence, or whether legislating increases visibility? Those are very challenging questions. I think the best information we get is from people who have themselves made a change in their lives, or are in the process of making a change in their lives, who can speak authoritatively of their experience. The way we operate as a community development organization is in that way, through grassroots processes that allow people to create their own solutions in their own context. My fear about broad legislation on this at this point is that it will unsettle the entire field.

I think in our community I see some significant progress. It's not to say that the problems are not still dire, but one of the things that is becoming clear in my mind is that the business community and residential community and organizations are working better together than they have for I think a couple of decades. They're working to problem-solve locally. In some ways, they're beginning to look at prostitution as a neutral symptom of poverty in our context. The best way to reduce prostitution—and I don't think anyone is talking about elimination of prostitution—is to create more safety, and bring it into a more reasonable place in the community. This is a really challenging line to try to draw, and it's crazy to try to draw it from where we stand right now.

The reality is, we need economic resources to fight poverty. The people I've spoken to who have worked in massage parlours are in an only minimally different circumstance from the people who have worked on the streets. The people who have to be out on the Winnipeg street corner at minus 30 degrees are in an only minimally different place from the people who have an established home they work out of quietly.

I think the real problem with this issue is that prostitution is cured by an end to poverty. Cured—again, it's so hard to speak in language that's accurate and appropriate here. I think we begin to see changes happen when the context is taken seriously, and I think a major legislative change at this time does what any crackdown does: it destabilizes, fragments, relocates. It doesn't change the bottom line, which is that people are economically obliged in some ways to use this option to feed their families.

The health community in Winnipeg and community-based agencies are working flat out with resident associations trying to solve the problems as we find them, but as a symptom of poverty. We look at all safety issues as part of the broader picture. So with all due respect, I think the legislation is the fifth step of a very hard process that we are engaged in at a community level.

•(1010)

**The Chair:** Thank you, Nanette.

We have to go three-minute rounds now.

Madame Brunelle, go ahead please. Again, three minutes is for the question and answer.

I'm sorry, Mr. Smith, perhaps we can get an opportunity in later, or after the session.

[*Translation*]

**Ms. Paule Brunelle:** You are absolutely right, Ms. McKay. It is clear that when we talk about prostitution we are talking about the erosion of our social fabric, about poverty, housing problems, a host of problems that we are well aware of.

In that regard, I would like to know if your city has analyzed the needs of sex trade workers. When we want to solve a problem, we must ask ourselves how many people are involved. Do you know how many prostitutes there are in your city? I have not heard anything that has enabled me to fully understand the situation you face.

I have a second question for the people who are working in the communities. Some places have come up with solutions. There are citizens' patrols and community mediation. Some citizens' groups even invite prostitutes to picnics to try and re-establish links and rebuild the social fabric. Have you set up any initiatives like that?

[*English*]

**The Chair:** Mr. Smith.

**Mr. Harvey Smith:** There have been some things that were community-based. For example, I can remember that they held a car wash. But I haven't seen that continue. They have been at meetings making their point of view very clear that they are residents of the neighbourhood and they deserve respect. But there has been very little of what you're suggesting, such as picnics. As I say, there was a car wash, and that's all I can remember.

•(1015)

**The Chair:** Mr. Lazarenko.

**Mr. Harry Lazarenko:** Thank you, Mr. Chairman.

The latest statistic we have from the police is that there are around 600 prostitutes who are known to the police in the city of Winnipeg. There has been an increase of about 200 within the last three or four years, and it's increasing each and every month, especially after winter. It's a problem that has to be addressed.

**The Chair:** Is there any other response to that question?

Go ahead, Nanette.

**Ms. Nanette McKay:** We could try to obtain statistics from some of the organizations that are working most directly with the prostitutes in the city. There's a tendency to work regionally. It's a sprawling enough city that we don't work as effectively as maybe we ought to on a city-wide basis, although there are efforts to try to increase that communication. We could certainly try to obtain those numbers.

Again, the numbers are based on specific expectations. Police gather statistics with a particular enforcement in mind. Other institutions gather them differently based on who they most are in contact with. So it's tricky to get a comprehensive number.



With regard to the kinds of community events that are taking place, there are linkages between organizations that work most directly with street-active individuals. There's a partnership, for instance, coming forward. I'm not technically allowed to talk about it yet. It's one of those announcement timing things. But certainly projects are being configured that involve partnership of business, residents, schools, and agencies that work in partnership with the women who use those agencies. I'm sorry to be vague. We signed a contract.

We're not yet at that point where as a community we have big public engagements where prostitutes are washing cars or handing out hot dogs, with a T-shirt that says "This is my business". It's not that friendly at this point. But there is a sense that there's a coming together of an opinion about how we need to work on these issues. I just wanted to back it up that far and say there are still tensions in the community, but there's an increasing singularity of approach to the issue.

**The Chair:** Thank you, Nanette.

Ms. Davies, three minutes for questions and answers.

**Ms. Libby Davies:** I'd like to pick up on that. I appreciate your comments. We've heard some representations from another place where there's real hostility. It's really a "them and us" situation, and there's terrible conflict going on. We heard about that yesterday in Edmonton from some of the resident groups and the sex workers. This is a very marginalized population by and large, as well as the drug users. As others have said, they live in communities too; they have kids, they go to school, etc.

Whatever changes we recommend, I still think there will be a lot of issues locally in terms of resolving conflict. So I'd really like some of the community folks here to talk about what you would like to see happen. It can't just be a hit-and-miss thing. Through the Vancouver agreement, we're actually engaging in a very real process that involves business, residents, the police, various agencies, and sex workers. They are at the table. They have a place. It's not a shouting match about who has the loudest voice any more. It's about recognizing real conflict and how that is actually going to be worked out.

You talked about the renewal corporation and the fact that you work holistically and have broad community consultations. I think that has to include populations that often get overlooked. We haven't really spoken about the aboriginal community here. In Vancouver, and maybe here in Winnipeg, many of the sex workers are aboriginal, and there are some very specific issues there. Unless those folks are heard in a respectful way and it isn't a "stamp them out" kind of thing, I really question how much progress we'll make.

Maybe some of you would like to address that in terms of what you think we should be doing to help you with that kind of process, if there's anything you can think of.

• (1020)

**The Chair:** Nanette.

**Ms. Nanette McKay:** I could start, because I've already had my mouth open.

We have a safety coordinator in our community. Carolyn plays that function. So one of the things we do is look at prostitution and

its related issues. There was a community forum where only residents came together to talk about their experience. Just creating an opportunity to make issues visible and to not limit those issues has been important.

Community-based process, to my mind, means that as a community organization we're not necessarily bound by the same kinds of structures and format that you are, so our mechanisms to gather public opinion and to build some momentum can be different. We did an aboriginal visioning process in our community over the last year using Winnipeg Foundation resources. That allowed us to do processes in the places where the aboriginal community is gathering anyway, rather than the traditional community development process, which is to go to resident associations where people are under-represented, or to put up posters, which, by and large, the community would ignore.

So we did a different and maybe an unorthodox process that put us in touch with 300 people we hadn't spoken to in this way before. Prostitution was right up there on the list. The ideas that people had for dealing with it were really about building acceptance, building alternatives, giving people the opportunity to create employment opportunities within their own communities, to build trust from the ground up and, again, not to try to lay on a solution for the community, as though one solution would work.

**The Chair:** Any other comments? Myfanwy, then Peter.

**Ms. Myfanwy Cawly:** Thank you.

I'd like to start with saying that there are significant hostilities between residents and people engaged in street prostitution. I think we should just recognize that. However, it's not really us and them so much. The people who live in the neighbourhood are afraid. It's not just about prostitution, it's about all kinds of crime. It doesn't happen in a vacuum. People who live in the north end, myself being one of them, say, "I do not want to live in a neighbourhood where I do not feel safe", and prostitution is just one of those issues that just happens to be visible and it's easy to attack.

This is about needing to start addressing poverty issues in the neighbourhood. One of the reasons it happens in our neighbourhood is because we don't get listened to. When we call the police, it takes a long time for them to come. I know that when I had a break-in, I waited 18 hours for the police to come to my home, and had to go to someone else's home because of that. That's just an example of the kinds of crime issues that happen in our area. Prostitution is just part of it.

**The Chair:** Thank you.

Peter.

**Mr. Peter Veenendaal:** Mr. Chairman, I must say, first of all, I'm very encouraged by the number of submissions I hear this morning from people who have been working hard for many years in trying to solve the problems related to prostitution in Winnipeg. I'm a fairly new Winnipeg resident, so I have certainly not been involved at all here.

I'm also encouraged by the fact that we have two councillors here. I'm happy that they remind us that we have to get involved in encouraging city hall to take action, and to also bring to their attention some of the issues and some of the things that are going on so that they can deal with them. I would say maybe this is a good starting-off point for more of our organizations to work together and deal with the issue overall. Again, thanks for that opportunity to bring us together.

On the issue Mr. Lehotsky mentioned before—the zero tolerance—I'm not really sure why it is such a big problem to use that term “zero tolerance”. I'm sure our police officers have a zero tolerance attitude to speeding. People are going to keep speeding forever, but they don't stop trying to prevent the problems and prevent the deaths.

One more point, Mr. Chairman. I guess there's a reason for my little bit of distrust for parliamentary committees, and sometimes their motivations. The one reason is that a number of years ago I was involved in a hearing dealing with the definition of “marriage” in Steinbach. I believe some of the members were there too. I believe Ms. Fry was there. Anita Neville was there as well, I remember. I applauded the hearings again, just as I did today. Unfortunately, if I recall correctly, the federal government made decisions on what they were going to do with that before they had a chance to hear the committee's findings.

●(1025)

**The Chair:** Just as a clarification on that point, I think it was the courts that made the decision first, before the committee had rendered its report, which basically took it out of our hands.

Mr. Lazarenko.

**Mr. Harry Lazarenko:** Mr. Chairman, on some of the comments being made by various organizations, I just want to tell you that the City of Winnipeg provides funds into the hundreds of thousands of dollars each year to help organizations in the work they do. North End Community Renewal Corporation is one of them.

What I find is a lack of communication. This is really where we get down to differences. If there is a problem, we do not have the communication, that communication line that should be open to us.

As an elected representative, I represent some parts of the north end where there's a huge problem in prostitution. When you talk about enforcement of the law, it is the city's responsibility. The City of Winnipeg's police will do the enforcement, not any other agency or organization. That is the responsibility of the City of Winnipeg police.

Street prostitution is about 70% aboriginal. Now, I have not heard or seen any of the people who are supposed to be monitoring come to us, to council or any of our standing committees, to say, “This is the problem we have. What do we do? How do we address the issue?”

I live in and represent an area where I see these things going on each and every day, Mr. Chairman, so I know what I'm talking about. I do not live in a ritzy part of Winnipeg, where I keep a blind eye, where people just drive through. I live there. I see this every day. I see the young. I see the older ones. And I see the johns who come and pick up people from a house that is rented out by an agency. Prostitutes live in that house. I raised that question to the representative of the organization, and he said, “No, it's not”. I said, “Look, I'm telling you right now, these are the kinds of activities that are going on”.

So it is the responsibility of the people who live in the community, the responsibility of the agencies that are receiving the grant money from the City of Winnipeg, to communicate with us and work together to see what we can do to try to solve the problem.

I, as a representative, cannot do it alone.

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

Dr. Fry, three minutes, question and answer, please.

**Hon. Hedy Fry:** Thank you.

Ms. McKay, you actually offered a lot of interesting options. I think the issue of safety is obviously important, and dealing with health, dealing with the root causes—exploitation, poverty. In some cases, as we've heard from people who deal with youth and children, the sexual abuse in the home and by people they trust and know has often been the start of their running away from home and then being exploited on the street by those predators who get them into this industry.

I think good exit strategies are obviously there, for those who need them, and dealing with the drug abuse, substance abuse, etc. Those are key pieces that you've identified. I think that is what this committee is trying to look at. What are all the pieces that need to be put together, not simply whether you criminalize or not, whether you legalize or not. That's been made into a media issue, which isn't what this committee is about.

We're looking at the stuff you're doing, that ability to work together as communities to deal with your problems, recognizing that if you keep displacing people, finally you get them to one or the other of the oceans and then you sort of put them out in a boat and set them to sail. I don't know what you do with displaced people. You can't keep displacing people. You have to deal with causes.

So thank you for those ideas. But there is a question I wanted to ask, and it relates to what we've heard from women who are trying to exit. Many of them say that if, when they exit, they carry with them a huge criminal record, it really does set them up to fail in building new lives. They can't apply for work, they can't do anything else, because they're now criminals.

I just wanted to know what you think about that piece, and whether you think that would help you in your advice to us with regard to the criminalization of many people in the trade. It's something I'd like to ask.

•(1030)

**Ms. Nanette McKay:** Certainly one of our fields is employment and trying to create opportunity. I think there is receptiveness both in the non-profit sector and in the for-profit sector to trying to find solutions, and that where there are distinct partnerships and commitments made from community-based employment groups to say they will work with people to address the specific barriers to employment they face, a large manufacturer or industry is willing to cooperate with community to create a solution. More and more we are finding that employers are willing to deal both with a portion of a criminal record that doesn't affect a person's ability to do the job they've been hired for and with the possibility of working with people to clear their record over time.

Those kinds of services can be very helpful to people. Directed, demand-based employment strategies that allow an employer to talk directly to a community about how they can contribute are a for-profit contribution; the private sector can make a contribution. That's a piece that I think is only beginning but could go a long distance. I've talked to several employers who said they were willing to hire particularly people trying to exit the sex trade. But I think that possibility should be explored, publicized, and encouraged. There's no reason Boeing couldn't be a partner, or another large corporation.

**The Chair:** Thank you, Nanette.

We've come to the end of our time. I just have one quick question and would like perhaps a 30-second response, from anyone. We haven't talked about organized crime or gangs involved in prostitution. What is the situation here in Winnipeg?

Mr. Lazarenko.

**Mr. Harry Lazarenko:** Thank you, Mr. Chairman.

I believe in my submission from the beginning I have said "the criminal element"; that is the gang activity. We were told by the City of Winnipeg police about seven or eight years ago that once the Hell's Angels establish a chapter in the city of Winnipeg, the Asiatic gangs will be coming in providing the drugs, and he said, "We'll be in big trouble." And believe me, we are in big trouble right now, because we're losing control.

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

Thank you all for being here. I'm certainly interested in the sort of community dialogue that hopefully may arise out of this hearing of the participants here today. If nothing else positive comes out of this report—we hope there will be positive responses and results out of it—certainly there may be a positive offshoot from this committee hearing today, from the very people we had before us.

Again, thank you for your presentations, your time and effort in putting them forward, and taking time out of your day to come. Thank you.

•(1033)

(Pause)

•(1046)

**The Chair:** We're back in session again.

Thank you to the gentlemen at the table for their spontaneous presentations and their patience in waiting.

This aspect of the hearing is with members of the public, and anyone who wants to come forward on a spontaneous basis is invited to do so. We'll have roughly three-minute presentations from you, and then we'll go on to questions and answers from members of our committee.

First is Graham Reddoch, executive director of the John Howard Society.

**Mr. Graham Reddoch (Executive Director, John Howard Society of Manitoba):** Thank you, Mr. Chair and members of the committee.

It's a great honour and pleasure for me to be here to present to the committee this morning. It's certainly not without some trepidation, because it's a complex and difficult issue that you've taken on. I certainly applaud the committee for your work.

The John Howard Society of Manitoba is a non-profit community justice agency. We are one of over 60 John Howard Societies that work across Canada. Our tradition—and the work of most John Howard Societies—has been to work with offenders and assist in the reintegration of offenders into the community. That's been the major part of our work, although in 1989 our organization adopted restorative justice principles. We began to look at crime not just as a violation of the law, and justice not just as the right application of the right rules; but crime as harm done by one person to another, and justice as the restoration of right relationships. The outcomes should also be considered, not just the process.

Ultimately, a safe and peaceful community is what we seek to promote. We do that through focusing on two questions: what gave rise to the crime in the first place, and what will it take for it not to happen again? We try to focus on a healing process that moves away from an adversarial approach to ask who is involved, and what it will take to support them in a healing process.

Last week I was in Montreal with police and policing partners looking at the issues around drugs in Canada. The focus was on dealing with both supply and demand. We've seen that most of the police attention and the attention of others has been on dealing with the supply of drugs and what can be done to reduce that, but very few resources have been put into reducing the demand for drugs.

My arm was twisted to come this morning, because I was made aware that much of the discussion has taken place around dealing with sex trade workers, without dealing so much with the issue of johns and how we can get johns off the streets.

So this is the small piece I would like to bring this morning. It comes via a john who approached our agency last year, a businessman who had tried to quit picking up prostitutes, participating in sex at massage parlours, taking out escorts, and so on. It was a real struggle for him. He came to our agency for help. Our agency serves as a practicum placement for faculty of social work students, and we just had a new student in who was looking for a project for the year, so they began to work together on this.

One of the things the John did was put together his own resources called "A Look at John—Developing New Strategies for Turning Tricks Around". He did an analysis of the number of people who frequented prostitutes in Winnipeg, what the demographics were, and what was going on for them. He challenged us to find ways to help people who frequented prostitutes get off the streets.

We formed and hosted a committee, made up of people who worked with prostitutes and others, to try to find a solution to this issue. We haven't reached a conclusion yet. Some very interesting discussions have taken place around it. We tried to take an evidence-based approach to making decisions. We tried to look at the evidence, but there was very little there.

• (1050)

There is not a lot of research from the Johns' perspective, so what I would bring to the committee is a request that you either search out or support the development of research around Johns and what drives them in their activity.

We had two views presented to us by our committee. One was the view of it as a sex addiction, and there are quite a few materials written about sex addiction and men frequenting prostitutes. We had representatives from Sex Addicts Anonymous and Sex and Love Addicts Anonymous participating on our committee, as well as counsellors and therapists, who could agree that it was a compulsive behaviour and felt that a cognitive behavioural approach was the most appropriate approach to deal with it. But whatever the appropriate solution is, there still is a need to better define the problem.

One of the few pieces of research that we came up with—and I can share it with the committee—is a study called "Attitudes towards prostitution among males", which looks at it from the consumer's perspective. It indicated that 57% of those in this study reported they had tried to stop using prostitutes. So that's—

**The Chair:** Can I ask you to wind up in 30 seconds?

**Mr. Graham Reddoch:** In fact that is the end of my remarks, to simply encourage and challenge the committee to consider the difficult aspects of prostitution from a John's perspective.

**The Chair:** Thank you very much. We appreciate your intervention, because we have not heard yet from the Johns' perspective. We can appreciate that people are not ready to come forward and present their perspective, and I think your presentation from the John Howard Society was a very appropriate way of presenting it.

If you find additional information, we would very much appreciate your forwarding it to us as well.

**Mr. Graham Reddoch:** While "John" is in the name of our organization traditionally, we're not advocates for Johns or supporters of Johns. Our interest in this is that we share a common desire to live in safe and peaceful communities and in how we can help Johns get off the street.

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

Mr. John Wilmot, from the Winnipeg forum organization committee.

**John Wilmot (As an Individual):** Thank you.

I'll be speaking from speaking notes. Three copies have been distributed. I apologize because the speech will be entirely in English and has not been translated for those who don't speak English as their first tongue.

This will be about some of the outcomes of a residents' forum on the sex trade in Winnipeg, which was held on March 19, 2005, just a couple of weeks back. This is the same forum Nanette McKay referred to earlier. I sat on the organizing committee to get that forum up and going.

Today I present to the Standing Committee on Justice, Human Rights, Public Safety and Emergency Preparedness. That's quite a handle, with all of those items. I was thinking that the word "finance" should be there as well, because there is a tremendous number of commercial transactions that take place, both on the front lines and behind the scenes. Revenue Canada says it's all taxable income.

When I think of solicitation, I also think of getting phoned at supertime to see if I'm interested in saving five cents on my phone bill. It would be nice if the subcommittee could deal with that as well.

• (1055)

**The Chair:** There is a private member's bill on that point.

**Mr. John Wilmot:** Yes, but I digress.

A group of residents gathered recently in an organized forum for a discussion on the sex trade in Winnipeg from a resident's perspective. The forum's objectives were to ensure residents are heard, to educate residents about the sex trade laws, to build a concrete plan of action, to develop a strategy to address root causes, and to follow up to present a residents' sex trade plan to police, government, and the greater community. This will be the first presentation with the information that's been sorted through so far to that community since the forum.

Authoritative speakers were asked to provide an overview on laws, regulations, and enforcement related to the sex trade; the provincial role in Manitoba regarding the sex trade; issues related to Johns; and barriers to leaving the sex trade for workers. Questions included: what is happening in your neighbourhood; what programs, social services, or neighbourhood approaches are being employed now; and what are future plans in your neighbourhood?

These generated some initial discussion and formed the basis for the questions leading to shaping the residents' plan, including: what should our priorities be in addressing the sex trade in our neighbourhoods; what partners and strategies do we need to solicit—this is a subcommittee on solicitation laws—or employ to deal with our priorities; are the strategies and/or partnerships a short-, medium-, or long-term timeframe; and who will implement these strategies and how?

Here, then, is some of the presentation and thoughts of residents at the forum. Now, sections 210, 212, and 213 of the Criminal Code deal with elements related to prostitution. With respect to section 210, the city has licensed up to five facilities where known solicitation activity has taken place. Section 212 deals with pimping. Apparently it's difficult to prove control exerting or living off the avails of prostitution of minors. Section 213: there's a provincial extension of this allowing for the seizing of a solicitor's car but only if they're charged under the code. There's no net effect if they're diverted to john school.

The provincial Safer Communities and Neighbourhoods Act connects drugs and sex to organized crime. This allows for one thing: the shutting down of crack houses.

Criminological research: there's not much for a john to come back in the community as a productive person. Also, the issue of male teen street workers needs a better strategy. A plan must be implemented for a multi-generational effort breaking the cycle, with follow-up. Needs do not end at 18. Residents lobby for a better transition from youth to adult programs.

Some of the final outcomes are in categories here. Under the category of addictions and sex trade, which the residents felt was a long-term goal, there's just a listing here: safety from the lucidity of players; currently there's a dearth of rehabilitation spaces; outreach at the street level is needed; there is a request to source alternative models, for example, from the Vancouver police; a request that the AFM, which is the Addictions Foundation of Manitoba, visit the streets regularly; and the notion that bureaucracy stifles the speed and quality of results.

In the category of laws, which is also thought of as a long-term goal, they wanted to see stiffer penalties, especially for pimps and pushers; raising the age of consent...by lobbying, just in general; and possibly considering a move to non-residential.

In the category of safety, which was more of a short-term goal, there is prostitute abuse from johns, pimps, and stalkers; prostitute health issues, STDs, etc. There is a motion to encourage women to look after their own safety.

• (1100)

Then on neighbourhood safety there is dealing with traffic flows. That's a municipal item and also potentially provincial. It was mentioned before that drivers' licences could be brought into this. Also on neighbourhood safety, children are being exposed to this and possibly being accosted near schools.

The third thing on neighbourhood safety on public health was the presence of used condoms and needles, etc.—

**The Chair:** Mr. Wilmot, could I ask you to wind up in about 30 seconds?

**Mr. John Wilmot:** Absolutely, yes. It will be perfect timing here.

There is bolstering the networks of scrutiny—for example, Neighbourhood Watch.

The last category is education. This is thought to be a short- to mid-term goal. They wanted tools for residents—for example, posted signs or phone-in numbers—schools' focus for youth, research on

johns' habits, johns and others to coordinate at agencies, and tighter police links.

It's almost unfortunate that this subcommittee has arrived in Winnipeg on the eve of the Juno awards, because on a short-term basis the mayor has decreed that all unsavoury elements be cleaned up from the downtown, where these hearings are taking place.

Thank you.

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

I appreciate the précis you've provided to our committee members. Would it be possible to get a complete copy of your report? Was a report made following the forum?

**Mr. John Wilmot:** The report will be made. It's a future activity. The forum itself, as I noted, only occurred on March 19. It's still in the data compilation stage.

**The Chair:** When the report is ready, we would very much appreciate a copy being sent to Ottawa. We'll provide you with an address.

**Mr. John Wilmot:** Certainly.

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

Mr. Ternette.

**Mr. Nick Ternette (As an Individual):** Thank you, Mr. Chairman.

I just thought of a simple basic statement I just picked up. Then I want to talk as a media person a little bit about public involvement in this discussion, which I think still has a long way to go.

Why shouldn't Canadian prostitutes be taxed and treated the same way as society treats dentists, construction workers, police officers, etc.? I think it's a valid and legitimate question. Unfortunately, I think Canada's cultural milieu at the present time is so antiquated that we're far from accepting prostitutes as a business in any way, shape, or form. Therefore, that leads me to the whole question of debate.

I debated Harry Lehotsky for the first time approximately two months ago at the Press Club. I'm a columnist, and I write about social issues. I'm a community and political activist. To my surprise, because we managed to promote the meeting, we managed to attract 60 to 65 people to this public debate, the first one that I know of beyond community groups. And I do know and sympathize with and appreciate groups in the city community who meet sometimes and discuss the issues of how to deal with prostitutes who live in your own neighbourhood and stuff. But those are all quiet and behind-the-scenes things.

I'm talking about public forums, public debate, public discussion about the whole issue of prostitution, which is a hidden topic. It's like everything else. It's not like abortion. The women's movement at least made abortion a big issue, and it managed to become a matter of national significance. We're a long way from being able to openly discuss prostitution. What happened is over half the people who attended this debate approximately a month and a half ago were sex trade workers, several of them of aboriginal background, and former sex trade workers. They brought a tremendous perspective to the discussion. I'm no expert on it; I'm a columnist. I write about the subject matter as a political activist. One of the things about the whole issue was that they did not want to become public because of the way people treat the whole issue of prostitutes. They wanted to be anonymous because being publicly recognized as a spokesperson or even speaking as a sex trade worker would isolate them completely from the neighbourhood.

They presented all kinds of different viewpoints that even I hadn't been aware of, and which I'm interested in. I studied the German model, for example, and other European countries that deal with legalized prostitution and whatever else. They brought perspectives that made me realize I had to reconsider my position.

Although I may be trying to have my short period of time here, I'm very disappointed about the degree of public participation here. I had to phone Ottawa to find out about this meeting here, and what time it was, and which hotel it was at in order to find out where to come and make my short presentation.

I'm one who obviously has an interest in the subject matter. What about the average citizen? How would they know that this meeting was even being held? There was one little story in the media, in today's paper, saying that presentations are welcomed. There was nothing in the rest of the media. Where is the media? There's the media table. I don't see a single media person. There isn't even going to be a story about this at all. It's a kind of failure of media—and I'm part of the media—to actually get people to start talking about it. We need pages of arguments, pros and cons. Do we legalize prostitution, or do we not? Do we accept the whole view that prostitution should be criminal activity? Should we have a no-offence policy?

Those kinds of issues are only starting to come about in this society, especially in Winnipeg. I've lived in Winnipeg most of my life. I know the communities talk to people. It's not an issue that is of relevance except in neighbourhoods where prostitution has become an issue—the West Broadway area, the Spencer area, especially those areas. In there the neighbourhoods have gotten themselves involved and have organized themselves. In some cases there has been discussion, as we heard this morning, of trying to move forward to an understanding about poverty and its impact on this. In a lot of other cases there hasn't been that. In a lot of cases there's still this hostility between sex trade workers, who are actually part of that community—they live in that community, but they do their particular job—and the community. And more often than not what happens is the community tends to drive them away from that neighbourhood. Where do they go? They go from one neighbourhood to another.

I can go through the history of how Winnipeg sex traders moved into the west end because the police drove them away from the Main Street area, which was a traditional unauthorized red light district that everybody knew was the red light district. Now they've moved

into the west end because of crackdowns by the police during certain time periods, like when you have special events going on. Just like what the gentleman here said—the Juno awards was one. When we had the Pan American Games there was a crackdown on undesirables, and a lot of them were pushed out of the Main Street area into the west end. I can go through the history of this.

• (1105)

I want to leave this committee with the feeling that it's important that we have public debate, regardless of whether we agree with legalizing or not, whether you take Harry Lehotsky's position on that. We need a lot more public involvement in this in terms of issues, and I would hope that this committee will not just have these meetings here but will encourage serious public discussion. It's really important to get the media involved so that we can get both sides of the issue out, so that we can develop a decent public policy, not just in isolation from a few individuals who are involved in the sex trade but also with the public as a whole. There has to be some consensus developed in Canada. There has to be some general acceptance that we need to deal with prostitution.

One of the issues is that suburbanites don't care about it. They don't have the prostitutes in Tuxedo, or wherever else. They have it in the downtown. They go in to town and they are the johns, but out there they're not. As I said once as a little joke, I think Winnipeggers will take prostitution a lot more seriously when prostitutes start walking the streets in Charleswood and Tuxedo, rather than downtown. When that happens, then maybe all of a sudden people will start paying attention. But as long as this is an inner city problem and an inner city issue—even though it's not a class issue per se, because many prostitutes are middle class and upper middle class.... They're not just from poverty areas and they're not just abused—both male and female prostitutes, by the way. The issue is that we have to get more public debate about it before we can come to any kind of consensus on what kind of legislation we need about prostitution.

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

Mr. Mr. George Vanwoudenberg.

• (1110)

**Mr. George Vanwoudenberg (As an Individual):** Thank you, Mr. Maloney, for giving me this opportunity.

I came rather unprepared, as a few people have already indicated. It was only yesterday, in casual conversation with somebody else, that I was made aware of this hearing taking place.

As Mr. Ternette has already indicated, where is the media? Where is the public? I think there should be, indeed, a lot more involvement here. I think that many more people such as myself should be given the opportunity to speak to this. So I was very glad to hear yesterday that, indeed, this opportunity was being presented, but at the same time I'm disappointed that it wasn't advertised better than it was.

I'm not coming with a prepared report of any sort; I'm speaking as a concerned citizen who has very strong feelings about the issue. And as such, I would like to thank the committee for allowing me to voice my concerns.

As I think about this whole issue I think we have to look at this in a very broad context. If we just look at the issue as an issue on itself then you can have much discussion and much debate and it depends a whole lot as to where you stand on a lot of other social issues as to how you're going to come down on this one too. When you look at the big picture, first of all, if you look at things historically, I don't think we can prove that prostitution has had any benefits to anybody. I think prostitution has always been shown to be something that is very negative, whether it's people who are directly involved or whether it's a society that has to basically deal with the ramifications and that has to pick up the pieces that come from it.

So I think as we look back, and I think we always should look back, it's a history we should always be willing to learn from in order to be able to determine what is a good way to go forward. I think that for many generations prostitution was something that was totally unacceptable. I think this is where we should start from, that first of all we say prostitution is not something that is acceptable.

Does this mean that I am denying it takes place? I am not denying that it takes place. I totally agree that as long as there's been recorded history there's been prostitution. But because that is the case I don't think that a way to deal with this issue is to now talk about making it legal. I think we have to continue to reason and to deliberate out of a frame of mind that says prostitution has never been something that is positive; it has always been something that's been negative. So let's not try to make this negative now into a positive, because it simply cannot be done.

Especially if I were a woman, I just cannot imagine any kind of a situation that would make this a desirable thing. So I plead for the dignity and for the well-being of the women in our society that we do not try to help them by making this legal, but rather that we try to help them if they are involved; that we extend a hand of love and compassion and mercy unto them and say: How can we get you out of this? How can we give you back your dignity? How can we once again take steps? I plead that we say to them that your body is not a commodity, but that you indeed are a person; that you indeed are a creation that is to be respected as much as anything. So this is why I feel very strongly about the issue, and I'm glad that I can at least approach the committee with those thoughts.

• (1115)

As you deliberate and as you consider everything that's been said, I would plead with the committee to think in the context of do unto others as I would have them do unto me. I guess that comes from the idea of love your neighbour as yourself. I think if you think within that context, then things will start to take on different meanings; then we will not talk about legalizing something inherently evil, inherently destructive, inherently totally negative.

Once again, I thank the committee for this opportunity, and I encourage you to continue to hear as many people as possible. I would also encourage you, as you move forward, to try to advertise this more prolifically, so the media can also be present and also inform the public who cannot attend that at least this is going on.

Thank you.

**The Chair:** Thank you, George.

Mr. Larry Wucherer, president of the Aboriginal Council of Winnipeg. Welcome.

**Mr. Larry Wucherer (As an Individual):** Thank you.

How much time do I have?

**The Chair:** Yes, I'm sorry; you came in a little late and didn't get the rules of the game. This is what we call the spontaneous portion of our day. Members of the public are invited to come forward and make roughly a three-minute presentation; then there are questions by our committee. In all honesty, in most cases this morning our three minutes have stretched a little bit, to six minutes. I'm trying to give everyone equal time, and we're very happy to hear from you. Thank you.

**Mr. Larry Wucherer:** Thank you.

Good morning, everyone. Just before I start, I want to echo some of the comments. One thing I'm hearing the same is the notice aspect of this important work that you're doing.

I just received word this morning. I've actually been at a national urban aboriginal strategy conference here at the Delta for the last two days, so I haven't been in the office. I came down here this morning and found out that there was something else going on at the Delta today.

There is one recommendation that I want to make right off the top. Seventy percent of the street people are young aboriginal women. I live in the west end, and it breaks my heart driving to work every morning and seeing these young girls. But quite frankly, I personally don't know what to do.

I'm working with people out of the Thunderbird House. They've actually hired some former street workers, and they patrol the streets at night trying to get other women off the streets.

I'm also on the homelessness committee here in Winnipeg. We work in partnership with the federal government to disperse federal dollars to homelessness and housing. We recently funded some community projects where there's mentorship, where former street women, former street workers, are actually patrolling the streets, mentoring women to get off the streets.

I know you're talking about law reform or the solicitation laws, but I think one of the messages I want to get across this morning—and I have no formal presentation either, and I'm trying to get up to speed because I got here just now—echoes something else that I think was being said here, about research and consultation.

I particularly want to emphasize the need for aboriginal meetings. Perhaps you can come back and we can organize a community meeting with aboriginal people. I think you need to hear from our community, because we deal with this all the time and can give some really good solutions.

As you are probably well aware, through these meetings you hear some good ideas and some good suggestions. In our community—there are 60,000 aboriginal people here in Winnipeg—we have a lot of experience in dealing with problems.

Personally, one of my other initiatives is the Neeginan homeless shelter. It's on Main Street, right in the core area. Part of our success with our homeless shelter is actually involving homeless people in the solutions. So I'm going to go out on a limb and say that to find solutions you need to actually involve the people you're trying to study or make recommendations on.

I'll tell you, the people who have gotten off the street, the ones who are helping others get off the street, could be an excellent resource to you on how or things you could think about that could be implemented. I'm not telling you anything new here, but it's an option that I hope you would discuss as a committee.

As I'm talking, I'm also thinking about the privacy laws, because I know they've been trying a lot of things here locally, like a website, posting names and licence plates, and things like that. These are community-led kinds of things.

It kind of reminds me of even the aboriginal justice programs that are going on, the initiatives where we're taking holistic approaches—diversion programs, alternative sentencing, and sentencing circles. I think a lot of what the public is trying to do is to embarrass the johns, and moral suasion and that sort of thing. If we look at some of our aboriginal models, when things happen, you bring the victim and the offender together. I think in this case there's a suggestion to really show johns what the impact of their appetites is, how it affects the person and how it affects the community.

I think the gentleman here was saying this is an old problem, but we need to look at some old traditions that we have to help address these things.

• (1120)

I was in Ottawa, actually, two weeks ago at an international conference on indigenous peoples and the information society sponsored by the Government of Canada, but there are the same issues and the same problems for indigenous people from South America all the way up, the same basic problems—poverty, homelessness. We seem to be in the majority of the population experiencing these kinds of social ills in all areas. I think we need to start looking at different ways of tackling this.

I don't want to ramble on too much here, but I also sat on the national round table on public health a couple of days ago that was chaired by Minister Carolyn Bennett and Theresa Oswald. I was geeking out—excuse my language—to prepare for that on Tuesday. I was on the Internet all weekend reading all these Senate reports on public health. I went to the World Health Organization site. I was at the CDC website. I wanted to look smart when I was there. I think a lot of the stuff they've already produced shows that a lot of these things relate to mental health and overall public health, and how that impacts the whole system.

I'm suggesting to you that sometimes when you try to legislate things, yes, it's a process most Canadians want, but at the same time I think you want solutions to these things, and you're trying to figure out a way to get the legislation to make some sort of improvement to quality of life. I guess what I want to bring forward is that there has to be better integration also of how government does these things.

If it's just the justice system doing these things in isolation, it really doesn't do justice to taxpayers in general, because it costs I

think roughly \$96,000 a year to keep someone in jail. If you're going to legislate people into jail, you're actually increasing the number of our people there. I think 65% of the people in the federal and provincial jails are our aboriginal people, even in the women's jail.

We need alternatives to get people on the right track, on the right road, or the “red road”, as we call it in our community. We need better solutions. This money that's being invested into this situation... there are other ways of doing it. I want to bring the message that as aboriginal people we can bring some unique suggestions as well.

Anyway, I don't want to go on too much longer. Thank you.

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

I just want to address the comments about notice. We appreciate your concerns. The reason we are travelling the country is to hear from Canadians across the country.

The process we take to solicit or attempt to get people to come to talk to us—not everyone wants to do that—certainly our members of Parliament are asked for names that they may recommend. That's one source. Our researchers do extensive investigations into appropriate organizations, individuals, academics from every perspective. We want a balanced view. We don't want to hear from just one side or the other.

Costs are very important. Parliamentary committees today don't put advertisements in national newspapers. We rely basically on media releases, which did go out on this before we arrived here, three or four weeks ago. We rely on the Internet. One connection may lead us to another.

That's the way we do it. The reason is that in the eighties—just anecdotal evidence—the last time an individual did it, it cost \$30,000 to place these ads. We are criticized on a regular basis for doing what we are doing here, for the costs of doing what we are doing right now. This committee is being criticized for the cost of these hearings.

This is why we also have the spontaneous presentations available to those who perhaps just became aware of our existence at the last minute. That's why we're most appreciative, certainly, of your coming forward.

Anybody can make a written submission at any time until we finish our hearings, which will probably be the end of June. So anyone who feels they've been left out is encouraged to make a written submission to our committee. We would very much appreciate that.

In your situation, Larry, in fact I'm advised by my clerk that your organization was contacted approximately a week ago. I appreciate what you've told me, that you're extremely busy, etc. I don't know where it's gone.

Now, with respect to the media, I have no idea why there's nobody there. I can assure you that in Toronto and Montreal and Halifax, in Vancouver and in Edmonton, we were swarmed by the media, that in fact—



•(1125)

**Mr. Larry Wucherer:** I'm not complaining about the media. I don't care about them.

**The Chair:** One of the other gentlemen mentioned, where's the media? I don't know where the media is, but they received the same notices as everyone else.

**Mr. Nick Ternette:** The point is that's one of the issues why the debate on prostitution hasn't become as significant as, for example, in Vancouver. I am absolutely positive that in Vancouver there was a massive amount of turnout in terms of delegations, and in other places.

**The Chair:** There were large turnouts everywhere we've been. We're working within limitations and we do the best we can with the resources that we have, just like many of organizations we've heard from this morning.

In any event, we'll perhaps go on to—

**Ms. Libby Davies:** We are visiting aboriginal organizations this afternoon. Is that correct?

**The Chair:** Yes.

**Mr. Larry Wucherer:** Which ones?

**The Chair:** Maybe we can tell you afterwards. This is the portion of the program that is not public. We're not afraid to certainly advise you or anyone else who wants to know, but for confidentiality reasons we want to be discreet.

These hearings will go on until June and we'll also be hearing people in Ottawa, once we're finished with the consultations, and bringing people in from outside the universe of Ottawa.

**Mr. Larry Wucherer:** Is there a deadline for getting submissions in?

**The Chair:** I would think by the time our hearings close in June, if you have a submission. That's what we're targeting.

**Ms. Libby Davies:** Even May.

•(1130)

**The Chair:** The sooner the better.

Madam Brunelle, for a few minutes.

[*Translation*]

**Ms. Paule Brunelle:** Welcome, and thank you for coming. You have made some very interesting remarks. You really went to the heart of the issue. Indeed, prostitution is a serious social problem.

Sir, you talked about drugs. We see that drugs are what lead many people to prostitution and it is because of drugs that they continue. Much of the evidence we have heard corroborates that.

You also say that we must work on the clients. That approach is being explored more and more. We are looking for solutions, but they are hard to come by when we don't fully understand the motivations. What you are saying is new to me. If you wanted to provide us with additional details on the topic, I would be very interested.

Let's talk about aboriginal people. I sit on the Standing Committee on the Status of Women. We have met many aboriginal women who are experiencing very serious problems. No one mentioned

prostitution at that time. However, having had contact with the Sisters in Spirit, we know it exists. Many aboriginal women are assassinated. The problem seems highly complex and the situation is very difficult. At the very least—and much of the evidence we have heard corroborates this—our work must focus not only on prostitution but also on the social fabric.

I do not know how our committee will be able to synthesize everything it has heard. One thing is certain: the status quo is untenable. However, we must acknowledge that we need to work on poverty and provide people with housing. Considerable work must also be done on the prejudice that exists. In that regard, I would say that it is really unfortunate that, for the first time, the media is not present. As members of Parliament, we realize that it is very important for the media to be present to discuss the issue. We have given several interviews. The more we talk about it, the more people will be interested in that issue. They will perhaps be a little bit less biased or will at least have a little bit more of an open mind.

Those are all of my questions lumped together, and I hope they will give rise to some reactions from you.

[*English*]

**Mr. Graham Reddoch:** Thank you, Madame Brunelle.

Yes, it is a social issue. It's a difficult issue with many complex parts.

What we've seen in the last decade is a move in the language seeing women as prostitutes and criminals to a language of sexually exploited youth and women, and a move to provide services that can assist women and those who are involved in the sex trade, if they want to move away from it, to find transition homes, counselling, services, help with addictions, and so on to move away from it.

We haven't seen that same thing happen on the men's side, on the johns' side. That's what we see needing to happen: a change in language and a focus away from shame and punishment to what it will take for johns to be able to move off the streets.

What we've heard from johns is that the shame just drives them back into the compulsive behaviour again, and that is counter-productive to moving away from the street. There's a lot of desire for secrecy. That's why we don't have a lot of research. We don't have johns coming forward saying "I'm a john. Punish me; shame me."

[*Translation*]

**The Chair:** Do you have any other questions, Ms. Brunelle? Are there any other answers?

[*English*]

**Mr. Larry Wucherer:** Your comments about involving aboriginal women's groups is great. Amnesty International came out with their report on indigenous women. I don't know if you had a chance to review it, but it mentioned—

[*Translation*]

**Ms. Paule Brunelle:** Yes, I even asked a question of the minister on this subject in the House. I wanted to see how he would react. He said that action had been taken. So we have to follow the situation. The minister is committed. I twice put questions on native women to him; I asked him how he would solve the problem.

I know that the Sisters in Spirit hope to receive funding to take measures at the community level. Whatever the case may be, I can assure you that I will continue to follow this matter.

• (1135)

[English]

**Mr. Larry Wucherer:** Good. Thank you.

There are some groups here. The Mother of Red Nations are the Manitoba affiliate of the Native Women's Association of Canada. They do a lot of work here on the ground. I'm going to tell them about this as well, because I know they're very strong advocates for aboriginal women here in Manitoba.

And yes, I appreciate your recognizing that this should be part of this. Look at Vancouver and the Pickton affair, at Edmonton and the thing going on there. Our women are disappearing. On some other side of it, these things went on for years before the RCMP investigated in Vancouver and Edmonton. They're even doing a story in Saskatoon; an aboriginal company is doing a story on the killing of aboriginal women in Saskatoon from the nineties, right now. It happens; our women are being victimized.

At the same time, I appreciate the comments about the johns. But I think we need to take a different approach. Maybe shame isn't going to work, but if we bring the people together and the johns see the actual impact, and if you get judges supervising these kind of interactions, with the community people there, you get different kinds of reactions. And if you bring the john's family there, you would get other things happening—other dynamics, and I think a better and deeper appreciation for the issues.

I'm no expert, but I'm not totally buying into this notion—and maybe the research says otherwise—that it's some sort of sexual addiction or something. I don't know.

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

Madam Davies.... Oh, very quickly, sir.

**Mr. Nick Ternette:** I appreciate your comments about the media perspective. I think it's important that you recognize how the media tend to cover it. For once, this kind of story—surprisingly in the *National Post*, in March—was an in-depth analysis of the history of the red light district and history of Winnipeg. That's the kind of educational stuff people can, if they read through that kind of material, at least get a perspective on, in trying to develop as you've indicated an open mind about the issue.

What tends to happen in the media is that when they deal with the issue of prostitution, it's just headlines: "Prostitutes..."—you know. And open-line radio shows, if you listen to them—CJOB in Winnipeg, even the CBC, which is supposed to be liberal—become simply a kind of verbal diarrhea, basically. There is no content; it's just taking positions: "Prostitutes are evil", or about their addictive behaviour, or whatever else.

I think that's the problem. The media themselves have to start taking this issue more seriously and start analyzing on all sides and allowing people in the public to really participate in that kind of debate, even through the letters to the editor and columnists, among other things, rather than using this kind of red-baiting, headlines stuff that simply does not encourage debate.

**The Chair:** Thank you, Nick.

Ms. Davies, please.

**Ms. Libby Davies:** Thank you.

There have been some really good comments made. I agree with you, it's so easy to sensationalize this issue. But I should point out that the *Vancouver Sun* did a six-part editorial on prostitution. It was actually very thoughtful, and it raised a lot of very serious questions.

I also want to say to Larry that I met with the Native Women's Association in Ottawa last week, actually, and their campaign around the Stolen Sisters is very important. I'm hoping they will be a witness in Ottawa as a national organization. So I'm glad you raised that.

Because we have limited time, I actually want to focus my question on the customer side—my apologies to the other issues that have been raised. You're right, there's very little available. You might want to look at the work that John Lowman has done. He's a criminologist at SFU. We did have him as a witness. They did a small, limited study of customers. I don't like to use the word "john"; it's somebody's name. So I'm using the word "customer".

**Voices:** Oh, oh!

**Ms. Libby Davies:** It's a lot of people's name. It's somebody's name. I don't want to personalize it.

We did get a little bit of information from that. You might want to connect with him, because I don't know if he's planning to do more.

Coming back to your point about having an open debate, the more you get into this subject, you realize it is very complex. There are some people who take a very moral view, and we've heard that today. You said prostitution has no benefit to anyone. I would argue with that. I think we have to put this stuff on the table.

We heard from sex workers in Montreal. This was more at the high end. Some of the women were working on the street, but they were more in the escort business. They talked about who their clients are. Some of them are disabled men who may be in facilities—I don't know; I'm not sure if she said that.

• (1140)

**The Chair:** No, she didn't say that.

**Ms. Libby Davies:** Okay. I couldn't remember.

These are people who presumably don't have a partner and are severely disabled, and this escort was providing a very legitimate service. To say that prostitution has no benefit to anyone, well, it depends on who you are. There are parts of this business that are extremely harmful, violent, and exploitive. When it comes to sexually exploited youth, we actually have to get a lot more serious about that.

I wanted to ask you, Graham, I think it's great that you're trying to do some work here. This person who came forward.... I don't know if you can share that info with our researchers, but how are you approaching it? If you approach it from the point of view that this is about shaming, which I think is also Larry's point, then what are we learning? Is it being approached from the point of view that we actually have to look at the complexity of what's going on here, that there are different kinds of prostitution taking place, from very harmful and exploitive to areas people may not morally agree with—and I respect their view—but other people have a different opinion on?

I think yours is an organization that could possibly look into that. But I'd want to know what your philosophical approach to it is. I know when you deal with people coming out of jail you actually have a very broad view, and you don't get into shaming people or marginalizing people.

Is that how you would approach it in terms of the customers? How do you see that?

**Mr. Graham Reddoch:** So far we've taken a very open approach, an inclusive approach. We've sought out all voices, providing all perspectives. Because it's such a complex issue, we have found little consensus. That's difficult and frustrating for some people who kind of know the solution and want to move ahead and implement it. Yet we recognize and value the various perspectives that are being brought, and we've struggled to find some level of consensus. As I say, that's been difficult for us.

What we see is a desire by a lot of people to assist johns in getting off the streets. The study suggested that 57% tried to quit—so over half.

**Ms. Libby Davies:** This raises a very interesting point. We had this debate yesterday in Edmonton. People were talking about putting up billboards to shame the johns and all of that. The question I had was whether it was that particular activity, the driving around, or the prostitution itself. I think this is where we need to have the kind of debate you're talking about.

If the issue is that this is more acceptable if it's off the street, if there's a safe environment and people's rights are respected, then that's a different kind of debate, as opposed to every customer being a predator and every customer being bad. There's a huge difference there.

Are you saying that you're looking at the former, that you're working with people who are trying to find ways to create a safer environment, or are you saying no, we have to have zero tolerance?

**Mr. Graham Reddoch:** As an organization, we really stay away from zero-tolerance language. It becomes quite problematic.

Maybe we're not trying to find a solution for everyone, especially those who don't see themselves as having a problem. Our focus is likely on those like the individual who came to us and said, "I've struggled with this and I haven't found help. I don't know where to turn. What help is there for people like me who say it's a problem? Whether it's seen as compulsive behaviour, an addiction, or whatever, I want to end it. Where do I turn, where do I go?" So that's the focus.

We serve as a voluntary agency. People aren't forced to come to us. This person came to us voluntarily and said he needed help. That's the kind of thing.... What help is there? That's what we've been trying to explore.

• (1145)

**The Chair:** Thank you, Ms. Davies.

George would like to make a comment, and then we'll move on to Dr. Fry.

**Mr. George Vanwoudenberg:** In the example you used, Ms. Davies, I can see where you're coming from, because basically sex is once again being treated as a commodity. My understanding of sex is that it is the ultimate expression of love between a man and a woman, and that is how it was ordained. So if you start to bring it down to the level of a commodity, there will indeed be people who can, in that context, benefit, because that is then—

**Ms. Libby Davies:** It already is.

**The Chair:** George, you can continue if you wish.

**Mr. George Vanwoudenberg:** I don't think I have much more to say to that. You and I would probably disagree on how we understand the definition, the meaning, and the expression of the sexual act. If you start to define it as a commodity that can be exchanged for money, or that can be exchanged strictly for pleasure without the component of commitment, without the component of a relationship, then I guess we digress.

**The Chair:** Thank you, George.

Dr. Fry.

**Hon. Hedy Fry:** I don't even want to go there. I think societies that are healthy are those that are based upon balancing the right of the individual with the collective good or harm. That's where I want to focus.

I'm so pleased that you came and talked about the clients. We were in Vancouver the other night, and the things that some of the sex trade workers said just made the penny drop for me. I realized that we're only looking at 50% of the equation and not at the other 50%.

As a physician, I can tell you that you cannot force, shame, or browbeat anybody into changing behaviour. It would be interesting to do the research, because I think you would find that among the clients—thank you, Libby, for reminding us of that—there are people who are compulsive and addicted, and then there are others who are not. We want to be careful not to say you are sick and therefore need to be treated. Again, we're back to the point that illness is something that's in the eye of the beholder, unless it's a disease that one is spreading to everyone else, where the public good then becomes an issue. I think that's an important piece.

Everyone has talked about the broad perspective of how we prevent where possible and how we deal with the health and safety issues. Because it's so complex, I think it's really important that we hear from everyone involved. The women who work within the sex trade need to have their voices heard. These are women who are very much marginalized in society. They have been devalued completely in society. The only way to find out from them what will work and will not work and how they see themselves is to give them some respect and a voice. No one has cared about that.

We've heard some very important things about criminalizing the women. We heard from the Vancouver police that because many women were going to be criminalized, they didn't come forward with a lot of information they had with regard to the Pickton issue. The marginalization of these women means, who's going to listen to you? You have no credibility; you're strung out on something; and besides, look at what you do for a living. Therefore, you have no value. It was only after the problem had escalated to such a huge extent that the Vancouver police realized they needed to start treating these women as valid human beings in society. They needed to talk to them and find out what's going on and build a trust. When we were in Vancouver, we saw that piece of trust with some of the police officers on the beat.

I think for me prevention and the health and safety issues are not debatable. We have to move into that and help people who want help to get it.

I want to ask about the criminal element. We're dealing here with the legislative pieces. I want everyone to tell me whether they really believe that bringing something underground, where everyone is too afraid of criminal activity to come out and speak, is going to help the agenda. Or is it going to make it worse? How does criminalizing women help them to live better and healthier lives?

• (1150)

**The Chair:** Does anyone care to respond to that?

Go ahead, Nick.

**Mr. Nick Ternette:** As I said, I do believe in the legalization of prostitution. I just think that the cultural milieu has to be changed.

When I attended this panel session where half the people were primarily sex trade workers and former sex trade workers, one of the major issues they raised was the lack of respect given to them by society as a whole. They said, "We don't just do prostitution. We live in the community, and we shop. Some of us are married and have families." Nobody has raised that whole situation about the attitude toward their own family relationships and their kids who go to the local schools. That is an issue that should be looked at.

They said criminalization undermines the ability of some of them to get out of it—and some do want to get out of it—because it puts them in a situation where they can never really get out of it. Also, it raises the whole issue of having pimps and the criminal element still tied to them if they themselves are viewed as criminals. They felt it was important to separate the notion of the criminal gangs and the pimps that control the prostitution trade from their particular work as sex trade workers. I think criminalizing continues to do that in a sense.

This legislation is half and half. It says prostitution is legal but soliciting is not. We need to legalize it in order to actually start dealing with the prostitutes themselves honestly and openly. Then they may not be as afraid and as anonymous as they have been. We couldn't get any of them to speak publicly about things or even announce who they are or where they live because they are so marginalized and afraid of how the community treats them.

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

Any other response?

Very quickly, Larry, and then we'll have to conclude our session.

**Mr. Larry Wucherer:** I guess my only comments would be seeking balance in these types of things. As I said, most of these women are our aboriginal women. The extremely limited involvement I've had already is that when people do get off the street, they have that stigma of a record following them. I'm sure that a lot of you are aware of the experience of aboriginal people in Canada—I'm not going to go into it. But I think you're pointing out with the customer thing that there are different reasons for different things; I think it goes both ways, and I think solutions have to be geared to reflect that.

I should qualify my earlier statements. If someone has an addiction problem—either side of the fence—that should be taken into account, but there should be some balance as to what happens. I'm more advocating on our women's side that we have to figure out ways to allow those who are ready, depending on their situation of being forced or on drugs—we have to figure out ways to help them get out of there. But the system shouldn't penalize them for life because these stigmas stay forever. If they get off the streets, they get an education, get a university degree, this shouldn't follow them. There have to be mechanisms to allow people to have a good life.

**The Chair:** Thank you very much to all of you for coming forward at this spontaneous presentation. In a short time we seem to have received an awful lot of information from the whole spectrum of opinions on this, and I appreciate that. Certainly your input will be reflected in some fashion in our reports, I'm sure. Again, thank you very much for participating and becoming involved.

I would ask for a very quick break, but I would ask our next panellists to come take your positions so we can quickly move on, and I'd ask my members of Parliament not to stray too far from the table.

• (1155)

\_\_\_\_\_ (Pause) \_\_\_\_\_

• (1211)

**The Chair:** I'll bring this meeting back to order.

We'd like to hear first from Susan Strega, from the University of Manitoba, and we also have Morgan Abl. Generally, the way we work is it's a ten-minute presentation; if you're coming from the same organization, there is only one presentation for the two of you—I'm not sure who would be making that presentation—or you can divide your time within that ten minutes.

Please, I invite you to begin.

**Ms. Susan Strega (Assistant Professor, Faculty of Social Work, Member of the Canadian National Coalition of Experiential Women (CNCEW), University of Manitoba):** Thank you very much.

I am Susan Strega. I should make it clear that although I teach at the University of Manitoba, I in no way represent any position of the university.

I'll just say a few things the three of us—Morgan and Jane and myself—have put together, and then leave some time for them to comment as well.

The place I'd like to start is by making it very clear that everything we have to say has to do with adult sex work. Issues that have to do with sexually exploited children and youth are not, in any way, part of our presentation, although I would say it is unfortunate existing laws to protect children and youth from sexual exploitation don't seem to be enforced very effectively.

I teach in social work at the University of Manitoba. I've done a lot of research about children, youth, and care. I've done a lot of research about violence against women, and I'm also a member of the Canadian National Coalition of Experiential Women. Although I am a member, I want to make it clear I'm not speaking on behalf of the coalition.

We have just a few points we want to make. I'll leave some time for Morgan and Jane to add to those points.

We want to start by saying unequivocally that we believe the present law, which criminalizes communicating but not prostitution, contributes to the dangerousness of sex work in several ways and should be taken off the books.

First—and I'm sure you've heard this from other presenters—it forces sex workers to conduct transactions quickly and in private—inside a car, inside a hotel room. That's placing them in a dangerous situation before they've had adequate time to assess possible dangerousness.

Second, concerns about the nuisance aspects of communicating have resulted in strolls being moved to more remote and more dangerous parts of cities, where there's less opportunity for violence to be noticed or for intervention in that violence to take place.

Finally—and I want to make this point very strongly—emphasizing the nuisance aspects of sex work contributes to a construction of sex work and sex workers as nuisances, and therefore to the construction of sex workers as less than human.

One of our local newspapers saw fit to print a letter last year in which sex workers were described as “human garbage”, which promotes the notion sex work is unacceptable, and therefore it's acceptable to harm, or even kill, sex workers.

I know you've heard from John Lowman. His research is very clear in terms of the relationship between a discourse—about sex work as nuisance and sex workers as not deserving of respect—and the consequential outcome of violence.

We would contend present solicitation and bawdy house laws, by criminalizing sex work, also make it more difficult for those who want to leave sex work to do so. We also believe that, too often, criminalizing communicating forces sex workers to work for someone other than themselves, such as escort agencies or gangs, who are organized to take care of the communicating aspects of the work, but who rarely have the interests of sex workers in mind and who profit from their labour.

Fourth, we'd like to make the point that the minutes of these committee meetings show some committee members have promoted what we see as an artificial divide between those who speak for sex workers and those who purport to speak for communities. We'd like to point out to the committee that current and former sex workers are also community members; I heard this point made earlier as well. We also want to live in safe communities, while at the same time we want to be safe in the pursuit of our livelihood.

We know sex workers have a great deal of expertise about how this safety could be achieved. The point has been made, and we would also make it, that the committee ought to be actively soliciting the opinions of sex workers in this regard. I would contend sex workers know more than anyone about how sex work can take place safely and with the least disruption to communities.

Fifth, although many sex workers do not have alcohol or drug problems, there is a connection between sex work and addiction, but there are very few resources for sex workers seeking treatment for drug and alcohol problems. In virtually every province in Canada—this is true in Manitoba and it's also true in B.C.—there are more facilities providing chemical dependency treatment for men than for women.

• (1215)

Further, facilities that do provide treatment for women that allow them to attend to their children are virtually non-existent, even though research has very conclusively demonstrated that women are much more likely to seek treatment if they can do so with their children. Keep in mind that research tells us that most sex workers are also mothers, another point that is sometimes missed.

So it's our position that sex work should be decriminalized rather than legalized or regulated. We base this partly on what we know of the experiences of sex workers in jurisdictions where sex work has been legalized and regulated. It does little to reduce violence against sex workers, while it continues to allow others to profit from their labour.

We'd like to point out to the committee that in our city and in our province, many women and transgendered persons, particularly aboriginal people, have gone missing and have been murdered over the past decade. The majority of these disappearances and homicides are unsolved. The Winnipeg Police Service has not acknowledged that there might be a serial killer targeting sex workers. It's clear to us that the Pickton murders are not an anomaly. These homicides are happening in communities all over Canada, and sex workers are the targets.

Finally, as the other points we've made make clear, it's clear to us that a legal remedy is not in itself an adequate strategy to address the complex issues that arise around sex work. Depending on what form sex work takes, we need to develop policy in consultation with sex workers that attends to their needs. There are innovative programs in our city—and I think Jane and Morgan can speak to that—but almost all of these projects are time limited. They don't have any core funding. This makes their existence very tenuous and it makes it difficult for people to engage in their programs. They need increased and sustainable funding for programs that serve sex workers, those workers who do want to leave.

Jane and Morgan, I don't know if you have some points you'd like to add.

**The Chair:** You have three minutes, Morgan.

**Ms. Morgan Abl (As an Individual):** Okay, I'll be very quick.

I only have a few things to add in terms of what we've presented. I'll also say that I don't speak for the University of Manitoba. I'm a graduate student with an interest in doing research in sex work as well as a member of the national coalition.

I have done some work over the last year and a half with an organization called PEERS in Victoria, which I'm sure you're all familiar with. I was the coordinator of a project looking to develop fetal alcohol spectrum prevention strategies targeting sex workers. As a result of that project, it's become very clear that many of the women we're targeting in terms of providing education and resources, at least in our city, are themselves, many of them, fetal alcohol affected. I think that's something we really need to highlight here in terms of strategies.

So we're criminalizing women who may be fetal alcohol affected themselves. We're trying to propose remedies that are not appropriate for people who may have cognitive difficulties. We don't have appropriate treatment programs and we don't have appropriate services for them.

In terms of what sort of education sex workers might need, at least those at the street level, we have determined that they need very basic information. Campaigns like With Child-Without Alcohol—it doesn't work for them; they don't understand. They're just concerned about surviving and existing. I'm not saying that this is the reality of all sex workers, but I know it is the reality of a lot of women who are engaging in street-level survival sex. So I'd just like to highlight that issue of fetal alcohol spectrum disorders. We really need to look at those issues more in-depth.

The other point is that I have worked with a lot of women over the last couple of years who have spoken to me about the fact that there is programming available. There's some really great programming available, and I'm sure Gloria and Jane will speak more to that, but again, it's time-limited programming. Some of these programs run for a year. Women are just starting to recover at that time and they need so much more support than just time-limited programming.

I'm sure the committee has had a lot of information about the sorts of things they do need, but we need to continue in consultation with this. We need to lobby government and funders to provide adequate funding and appropriate programming in consultation with the women we're seeking to help.

Thank you.

• (1220)

**The Chair:** Thank you.

Jane, it appears you have hats under the TERF program and New Directions. Please proceed.

**Ms. Jane Runner (Program Manager, TERF Program, Member of the Canadian National Coalition of Experiential Women (CNCEW), New Directions):** Thank you.

I just want to clarify first, though, whether there are any media still in the room.

Good.

**The Chair:** This is in the public record, though. We are recording it.

**Ms. Jane Runner:** Thank you for clarifying that. It depends on what I disclose, then.

• (1225)

**The Chair:** You disclose what you wish, but I'm just advising you that it is in the public record and anyone can access it on the net.

**Ms. Jane Runner:** I just want to go briefly back in history. Many years ago, the day before the Montreal massacre of all those women, I was in Ottawa at the Standing Committee on Justice, when they were reviewing the legislation on communicating, and many years later we're doing it again. I just look back; I've also been to other meetings in Ottawa reviewing the legislation, and many things have been shelved.

So I will have a question at the end of this: What are the next steps, what's going to be realistic, and how are you going to move this forward? I haven't seen much being moved forward, only some small changes to the legislation around increasing fines and so forth, but nothing major.

As part of the national coalition, I find it's been a great experience to work with women around Canada who've been involved in the sex trade or are still involved, just hearing the stories about all the tragedies, the violence, the abuse, and so forth.

A great deal of my concern is for youth and our children and about their needs not being met. We still have a Young Offenders Act—I forget the new name—where children can be charged with communicating. Even though they may not be charged the first few times they're approached by the police, the police still have the right to charge them. That needs to be addressed, so make important note of that.

I have grave concerns about the whole prevention aspect of this. Of course, the law isn't preventing or intervening much, but when it comes to prevention, we still don't pay enough attention to it. I was involved in a three-year demonstration project where we did receive money from the National Crime Prevention Centre to look at various strategies whereby we could work within the community to prevent the sexual exploitation of our children. We worked with many kids who learned lots, who learned ways to protect themselves and not become vulnerable to this any more.

Lo and behold, after three and a half years the funding ended, and I couldn't get any more money. Now I'm hearing from the province—and all the politics comes into play—well, you know, the feds shouldn't have funded it if they weren't going to continue it, and why don't they do it long-term? Now the province is saying they don't have enough money.

That's another huge issue in how all this is going to play out. If people don't come together, strategize together, and communicate with one another, all these great things we are able to do as communities and so forth aren't going to be able to continue, and children are going to suffer again and again and again. That's another thing I want to put forward for the committee to look at.

I'll just follow up on a few things Morgan and Sue said.

The transition process is very difficult when people need to exit, and again, that's where the long-term supports need to come into play. I've been working with this population for 25 years, and the average length of time it takes someone to exit the sex trade is at least five to ten years. We're talking about years and years of suffering and abuse, and it takes years and years of healing and a lot of hard work and courageous work on the part of these individuals.

Again, whatever happens with the law is just one small piece of this huge picture, and you can't do it in isolation, without looking at all the other things we need to be doing as communities and government bodies.

Thank you.

**The Chair:** Thank you.

This is just to respond to your question on process. In the previous Parliament there was a motion brought by Libby Davies that we would investigate the prostitution laws with a view to addressing the harm done to prostitutes as well to as the community. That committee worked very briefly because an election ensued. In the fall a letter went from the Minister of Justice to the justice committee requesting that the justice committee take up where they left off in the previous Parliament. As a result, this committee was constituted just before Christmas and started hearings the first of February.

We will prepare a report following the conclusion of our hearings both across the country and in Ottawa. We will continue to hear people and presentations in Ottawa. That report will go to the justice committee, and I would suspect they will approve it and send it on to Parliament for the government to respond to.

**Ms. Jane Runner:** Thank you.

**The Chair:** From the Women's Health Clinic, we have Madeline Boscoe and Ms. Laurie Helgason.

Again, the same rules would apply. We have ten minutes for a presentation. If you both are going to present we'll have to split that time, and whoever's going to go, go.

**Ms. Laurie Helgason (Women's Health Clinic):** I'll go first.

I want to talk about who we are. The Women's Health Clinic is a feminist community-based health centre promoting the health and well-being of all women by facilitating empowerment, choice, and action. For 25 years we've served a broad range of individual women, from teens to elders, as well as acting as a resource to

service providers and agencies in Manitoba. We're governed by a volunteer board consisting of clients, community members, and representatives of our volunteer and paid staff.

Our program areas include reproductive and sexual health, including contraception, unplanned pregnancy, free and low-cost contraceptive supplies, midwifery care, mothering and post-partum support, primary care, weight preoccupation, disordered eating, smoking cessation, free and low-cost counselling—including the support of women and teens dealing with the impact of sexual, physical, and emotional violence—health education programs in the communities and schools, a menopause clinic, and an information centre.

**Ms. Madeline Boscoe (Coordinator, Women's Health Clinic):**

Part of our work has always been looking at healthy public policy—or the lack thereof some of the time—for women. In this area, we've done everything from fight to protect and expand medicare to the regulation of drugs and devices. We were very involved in the case at the Supreme Court about mandatory treatment orders for pregnant addicted women on the street, fighting against mandatory orders due to the failure of the state to provide adequate care.

Most recently, we've been doing an enormous amount of work in the area of poverty and the health of women. I have a poster here on the program and have provided your researcher with a full report on the program. What we're trying to do is to help Canadians understand that poverty is increasingly being feminized; that the people who are poor bear the burden of ill health in our society; and more importantly—which I think is the kicker in our poster here—that reducing income inequities is about improving health, not only for people living in poverty but actually for the wealthy as well. I say so because part of our remarks are touched in terms of the lived experience of the women we see.

Our comments today really come from our clinical experience as feminist providers working with women, from research, and from our lived experience with women in a variety of roles. We can talk about that a little bit more.

We are taking a little bit of a different approach today from our colleagues across the table from us, in that we do not feel there is enough evidence that decriminalization is the way to go at this moment in time. We would ask you to pause and consider some other issues. We do not think there's enough evidence right now for this doing any more than continuing the victimization of women. By tweaking the law, we will abandon women to the environments in which they live—and I'll talk a little bit about that. The other piece, though, is that by institutionalizing sex work, we are also continuing sexist attitudes and violence against women, which otherwise commodifies women and creates risks for all women in society.

Programs in other countries appear to demonstrate that regulating sex work does not stop unregulated prostitution or indeed solve the problems it is supposed to fix, such as increasing autonomy, reducing risks to mental and physical health, and increasing social engagement, etc. That's not at all to say that we support the status quo. Indeed, we do not. Unfortunately, our system right now penalizes women and not the men who engage with them.

Rather, we would ask that we reorient our approach to one that recognizes prostitution as the result of, and a form of, violence against women and children, and focus on charging those—most frequently men—who procure and traffic in women and children. Above all, we must provide support and care to children, teens, and women.

When I say there is an urgent need for action and that we need a much more comprehensive and sustainable approach, I do so because our experience is that these programs are practically non-existent. They come into women's lives and in some ways rip them off emotionally by then being withdrawn because of funding. So we need a significant reinvestment in comprehensive supports for children, their mothers, and families. I've talked to social workers who carry 120 kids in their caseload, and we somehow believe that we're protecting these children in chaotic environments.

We need to give priority to economic policies that reduce income inequities and ensure that women have living wages. We need to realize that many people are employed in unsustainable jobs in our society. You cannot work for minimum wage in this country and think that you can live on it.

We also need to reinterpret the legislation so it views prostitution as violence against women and children.

• (1230)

This would create aspects of activity that I would hope your committee would recommend: holistic initiatives that would provide protection from violence; financial incentives to leave sex work; education and vocational training of adolescents and women involved in prostitution; increased efforts and focus on charging and bringing to justice those who exploit women and those who control women; and a broad-based education campaign.

We come to this conclusion because we consider the way in which our society has abandoned children who have experienced poverty, loss of culture and supportive home environments, violence, and sexual assaults to be absolutely tragic. The entry to the sex trade, in our experience, has not been chosen. Rather, for most it is the lack of choice and the sequelae of social exclusion, unaddressed violence, and poverty. We need to remember that the average age of entry into prostitution is 13 to 16 years. Society essentially abandons these children and, I would add, the adults that they become. It was really clear when we were working on the George case that the only interest the state had in her was because she was carrying a fetus. It was not because of her lived life.

Those who end up in the sex trade are blamed, reminiscent of the way in which women and children, not all that long ago, were blamed when they experienced rape or sexual abuse. But it is important to note that there is a way out: when there are high-quality women-centred programs, not do-gooder programs, but women-

centred programs, in place that are comprehensive and sustainable—and I do agree with Jane—over the long term, it does work.

We need to remember that as a society Canada supports a values framework that prevents the commercialization of the human body. No one is allowed to buy or sell a body part, such as a liver, kidney, or children. In the debate, and ultimately the legislation that regulated reproductive technologies, we recognize that the buying and selling of sperm, eggs, embryos, or permitting womb rentals would create more harm and exploitation of the vulnerable, the poor, and society as a whole.

Legitimizing prostitution reinforces the belief that women and our bodies are commodities. This, in turn, reinforces the stigmatization of all women, affecting our role in society and our equality rights. We need to remember that women do want to leave prostitution. This is not a safe environment—and I can talk a little bit about that.

We also need to remember that as a society we need to ask ourselves, is the sex trade a legitimate form of economic activity? There are states and countries in this world that clearly do believe that, but I think we need to ask ourselves about a state-sanctioned infrastructure in such a way—and I used kidney sales as a good example. Johns are often linked to illegal drug and other activities. The role of organized crime in illegal and regulated prostitution remains a significant problem.

When I say thinking about it differently, I want to use a kind of funny analogy. I'm old enough to remember when birth control was illegal in this country. In fact, I started my practice in a birth control clinic, which actually technically was illegal. The police used to walk up and down and they never came in and said, "Oh, you're going to jail, Madeline". My colleague down the street, who was selling a combination of all sorts of odd things that wasn't really birth control, did get charged because it was an illegitimate activity. But while we waited for society to figure it out, we looked the other way.

I think there is a way of relooking at the act, and the regulations therein, and reorienting it without necessarily having to dicker with the legislation at this point. We're particularly concerned because the temptation to just tinker with the act doesn't get to the needs, the care, the social programs, the social infrastructure or healthy public policy that we're talking about.

We are supportive of programs and activities that empower women who are involved in the sex trade. However, in our view, some of the calls for regulating sex work come from two main sources: those who have no confidence in society's interests in their health and well-being, and those forces who seek to profit from this work. In our view, the solution lies in providing women and girls with social supports and protection from violence and social exclusion.

Thank you.



•(1235)

**The Chair:** Thank you.

From Sage House, Gloria Enns.

**Ms. Gloria Enns (Director, Sage House):** Thanks for inviting me to be here today.

I will talk a bit about who we are, what we do, and who we don't represent, first of all. That whole population is not what I'm talking about. For example, I am not talking about women who work in bawdy houses, exotic dancers, or escort service workers. I can't speak for what their needs are, what their rights are or are not, or what laws should or should not apply to them. I'm not speaking about middle-class women, the ones we hear about who apparently choose to work as sex workers. I haven't met any. They may be out there, but I haven't met them.

I am talking about youth only, in the sense that at Sage House most of the time when youth come to our facility we refer them to youth-based services such as Nadinawe and Honouring the Spirit of Our Little Sisters. We do that because there is some risk to youth in being mixed up with the older women who have been on the streets for a longer time. However, the women we do work with, as Madeline pointed out, began their life on the streets as youth often around age 13, so we're talking about the grown-up end of youth.

Most of the women who come to Sage House are adults between the ages of 20 and 36. In terms of their sex work, it's survival, street sex work. It's survival work because they are poor and poverty faces them on a day-to-day basis.

Our program works on a harm reduction and feminist basis. We believe that harm reduction is feminist and feminism is harm reductionist. Our goal for the program is to reduce the risk to women's health and safety, so health and safety are the two focuses of all our programming. We do a very wide variety of things in that goal. For example, with health we do have a nurse on staff and we are part of Mount Carmel Clinic, which is a community health centre. We have access to everything from doctors and nurses and dental people and X-rays, labs, and so on, to social work and others. Basically our focus on health is from a population health basis. We're looking at what needs to be in place in a community so that people can be healthy.

On safety, we're not really funded to do a lot of safety work, so this brings in some of the concerns that other people have raised about short-term projects, programs that start to help people and then run out of funding. We are funded as a health organization through Winnipeg Regional Health Authority, so our health programming does continue without threat, but our safety programming is something we have to apply for special projects on, and as soon as they become successful, the funding ends.

For example, we were funded for two years to work in the west end on a project called the West End Womens' Safety Project. This project was successful in the sense that we actually were able to work with the women in the streets in the west end to help them identify a serial rapist, which they did. We worked with the Winnipeg Police Services sex crimes unit to help them communicate more effectively with the women so that the women were able to report and go to court and hold the serial rapist accountable. The

women were absolutely amazing in doing that, because of the long history of distrust with the police and the court system. However, they did do that. We did many things in this project, but that was one of the most amazing things the women did in the course of our work in the west end. We also worked with schools and looked at increasing safety around schools for the community and for the children.

As part of a community health centre we are never just focused on one thing, it's never just one population. We are responsible to the community. When Spence Neighbourhood Association came to us and said that women working in the sex trade around the elementary schools put their kids at risk because of the johns circling their schools, we went out there to do outreach around the schools. That was also successful.

We've now been asked by the north end schools and community to do that project in the north end, which we are going to be beginning very soon. We're just hiring for that project now. It's called the north end schools safer corridors project and it's funded through Neighbourhoods Alive.

•(1240)

So that's some of what we do around women's safety, children's safety, community safety.

We do hotel outreach. I'm sure you heard about hotel outreach when you were in Vancouver. You've met probably with hotel outreach nurses. We do that in the Main Street area here in Winnipeg. We have very creative hotel outreach workers. We consider the people who run the bars and the hotels on Main Street to be part of our community service providers who need to also be responsible for increasing the health and safety of the women who go there—with mixed kinds of success and outcomes, which I'd be happy to discuss with anybody at some other time.

It's a very interesting project. That was one we started to get funded for. The funding's run out, and we're doing it despite not getting funding for it because it's so important for the women we met when doing the street outreach program.

We do run a variety of addiction support groups. We have twice-weekly addiction support groups for women who are addicted to crack cocaine, alcohol, and a blend of other drugs. We have one addiction support group that is specifically focused on women who are solvent users. That group, in the pecking order of the street life, is seen as the lowest of the low; therefore, there is a group devoted primarily to them. It started with the hope that we would get six to 12 people into the support group. Last week there were 37 in attendance, so now we're looking at making it several groups.

In terms of our drop-in program at Sage House, we are looking again at people who, if they are hungry, will walk into the next car that stops, so we provide meals. We're looking at people who live in places where there is no laundry, so we provide laundry. We're looking at people who, perhaps if they're lucky, live in a place that has one bathroom at the end of a hallway with twenty people living in that hallway, most of them men, and that bathroom doesn't have a lock that works. So we have a bathtub.

Those are basic things that make a difference for a lot of people in terms of their survival, and it's a safe place where people can come and watch television, have a meal, do their laundry, see a nurse, talk to a counsellor, or just hang out and talk to each other.

In summertime we rely on donations to do recreational programming. That again would not be part of our core funding. We rely on donations to do cultural and spiritual support. In our case, we do not have an elder on site, but we do access an elder. That's often something that's very important to the women who choose to connect with their aboriginal culture and look for that kind of spiritual support.

Part of our projects have a lot to do with looking for communities to support the women. So, we're not looking to be everything for the women who are on the streets. We're looking for all of the community agencies that already exist out there to provide better resources, to open their doors, and to find out how to open their doors. For example, one very excellent women's resource centre has been talking to me about why the street women aren't coming to their centre. I mentioned to her that a lot of the women who come to her centre are moms who bring their kids, and a lot of our women have had their kids apprehended, and it hurts to walk into a centre full of moms and kids. That's a thought that hadn't crossed their minds before. So we're trying to find ways that other agencies can open their doors and become welcoming of women who are on the street.

I'd like to speak specifically to the case of transgenders, who often begin being sexually exploited at a very young age and turn to the streets as the only place they can actually be out as transgendered people, or where they can be girls or women. Their lives are so closely circumscribed that they can list on the fingers of one hand the safe places in this city they can go to. It's a very narrowly circumscribed life that transgenders live in, and we're always seeking to educate other people so that their world can be opened up a little bit and there can be more places where they can be safe, accepted, and not peered at and called freaks.

•(1245)

A lot of the women who come to Sage House have combinations of fetal alcohol spectrum disorder and other mental health issues. I would like to reinforce what Jane Runner said about it taking five to ten years for women to leave the streets, and that's often in ideal circumstances. But for women who have co-occurring disorders such as fetal alcohol syndrome or mental health issues and addictions, it can take a lot longer. Those combinations of various addictions and disorders can make barriers that are almost impossible to overcome without tons of support. And tons of support is what we're trying to find and secure and get access to for women as much as possible.

Just getting back to what you're here about, which are the laws, and the criminal laws in particular, I did like what Susan Strega said, and I have consistently said that I'm in favour of decriminalization, but not legalization. I don't want the state to pimp women. I don't want our government to become pimps. I don't want them to be taxing women as they tax liquor and as they tax gambling, which has also made them become gambling addicts. I think that criminalizing women can be a harmful thing because, again, if women have antagonistic relationships with police they are reluctant to report

assaults, rapes, serial rapists, and people who can turn out to be Pickton.

We have had 13 unsolved murders in Winnipeg in the past 20 years or so, and one of them was a very good friend of ours at Sage House who disappeared last September and whose body was found in October, murdered, near Portage la Prairie.

I'm just taking a moment to remember her and to honour her memory.

Most of the women who go to court are not very afraid of court. And most of the women who have charges against them are not really worried about the charges. Because what they worry about is food and safety and getting home safe or getting to a home, which many of them do not have, getting through the day, getting through the night, and still being there in the morning, maybe getting money to their dealer. So court isn't really very big on their agenda. And if you were to ask—and when I do ask groups of women at Sage House—what they think about the current laws on communication and solicitation, they have very little to say about them. It's not important; it's not a big deal. And it's not to say that it isn't to me or to those of you sitting here, but it's because changing the law is not going to change their life. If you decriminalize it, it will not make their life instantly a whole lot better. If they remain criminalized, it will not make their lives a whole lot worse. Just changing that law will not really affect them.

What needs to change, however, are relationships and people's attitudes, both throughout the community and with the police in particular. I'd like to commend the sex crimes unit and Winnipeg police because they have really worked hard to be accessible, open, and non-judgmental of women in the sex trade. And even the morals unit, who are charged with arresting women and charging them with communication—that is their job, that's the unit they work for—have tried to really work on doing their jobs in a respectful way, not judging the women, not giving them the rides downtown or the rides out of town so they have to walk for miles and miles barefoot, which used to be the case for women who have told me about these kinds of instances—

•(1250)

**The Chair:** Gloria, we're going to need a little time for questions. Could I ask you to wrap up in about 30 seconds?

**Ms. Gloria Enns:** Basically what I am saying is that I am against further criminalizing women, but I think it's more important for people to be treated with respect, for the women to be treated with respect, and for doors to be opened.

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

Please go ahead for seven minutes, Ms. Davies.

**Ms. Libby Davies:** Thank you very much to all of you for coming, for your excellent presentations, and I think a really good discussion to come.

Now that you've all been heard, even though you have somewhat different viewpoints, you also have a lot in common, as you can see. We've been finding this across the country.

I think your poster is terrific. I'm going to put it up in my office. I like it a lot. It's very colourful, and it catches your eye, which is important.

I just want to put on the table that I think what you're saying here is that poverty is driving women into the survival sex trade. There's no doubt about that. I know we face that in east Vancouver because of provincial cuts. Welfare goes down and the sex trade goes up; there are no two ways about it. I really agree with those comments.

I think we've also learned that there's a huge complexity to this issue. Most of my information and motivation was around street prostitution because that's what I also deal with in Vancouver, but since then I've learned so much more. We have learned, for example, that only about 5% to 20% of prostitution overall actually involves street prostitution. There's another 80% plus out there that we previously heard very little about. I think we've heard more about it now. I want to recognize the complexities and the different levels we're talking about, which may form some people's opinions about what they've put forward.

Madeline, I want to assure you that I don't think we want to tinker with the act. This is serious stuff, and I think we're all approaching it with some level of caution. I think you actually put your finger on all the stuff we agree with in terms of prevention, providing support for exiting, dealing with health and poverty issues. I'm going to assume we actually do agree on that, but you kind of put your finger on where I think the debate partly is.

What you said was that decriminalization equals legitimization, and that's what you're really fearful of. I want to pose the question, does it? I mean, that's really what we're partly struggling with here in terms of law reform.

The concern I have is that the status quo—i.e., criminalization—is actually really hurting women. Does decriminalization equate to legitimization? Maybe some people would say that's okay because then we're bringing things out of the arena of invisibility and the underground and hopefully creating a safer environment. If we follow that line of no decriminalization, which is what you say in your brief and you've said to us, are you suggesting that we try to shut down all of these escort services, for example? How far do we go then? What is this space that's left? That's a question for you.

To the folks from the coalition, we have heard a lot about the so-called Swedish model, which is sort of partial decriminalization. I want to find out a lot more about it. Hopefully we will be able to go there and find out, but we may not. I'm interested in your perspective, on what you think about the so-called Swedish model, which is this sort of partial decriminalization, and whether or not you see it as a progressive step or something that is problematic.

•(1255)

**Ms. Laurie Helgason:** We've taken quite a look at the Swedish model. It seems to be having a lot of success now that the police have bought into it and are treating the women on the street as victims rather than people committing crimes, giving them the support they need to leave the streets. They have social incentives, financial incentives. Women are leaving the streets. There has been a reduction in trafficking; that's been shown. There has also been a larger reduction in the trafficking of women into Sweden.

**Ms. Libby Davies:** Aren't you saying in your brief that you don't support any decriminalization? That's what I heard you say, and it's in your brief.

**Ms. Madeline Boscoe:** Yes, what we said was we don't support it at this point because we don't feel we know enough. The Swedish experiment is a couple of years old.

The other piece, and I just want to reinforce this again, is that I think there's a way of reinterpreting what's on the books. The eyes of the police can see things in different ways. They've chosen in the past to focus totally on the women and blame them. I think it's time for them to focus on the guys for a change.

**Ms. Libby Davies:** One of the biggest concerns is that as long as the women are criminalized and get records, they won't report violence.

**Ms. Madeline Boscoe:** I know. That's what I meant by reinterpretation.

The other concern we have around doing anything right now is that by only changing the law, the other huge issues—which are actually more costly in many ways—will not continue. Children are being abused, and children are running away. Things are not good at the street level. The programs we're talking about won't be there, and that's the other side of the coin. It's such a temptation to just deal with the law. It's so much easier to say we'll just do this little piece, when it's this piece we're talking about. I think Sweden has lots and lots of things to teach us.

**Ms. Susan Strega:** I don't in any way want to present myself as an expert on the Swedish model, but I have read research about it. I would note that it's relatively new, so there's not a lot of research, but there is some.

There are a couple of points I'd like to make about it. First of all, I think it's critical to put the Swedish model in context. There are a lot of social policy differences between Sweden and Canada. One of those I would highlight is that there is 24-hour, state-run child care available in Sweden, which is not available here. It's not available 24 hours in every place in Sweden, of course, but in the larger centres that's available. There is much less poverty in Sweden, and there is a lot less disparity between the incomes of the wealthy and the poor. So let's place this in some kind of context first before we talk about the Swedish model.

There is a lot less entry into sex work because of poverty. I would absolutely concur that this drives sex work in Canada. I've been in B. C. and seen the effects of those cuts. I've also seen in Winnipeg that a few days before cheque-issue day for welfare, a lot more women are on the street engaging in survival sex work.

So let's look at the context and not just at Sweden's approach to sex work.

What I would say based on the research I've read, a lot of which is available on the web, is that the criminalizing of customers is contributing to there continuing to be an underground trade, and in fact it may be driving some of the trade underground. So that continues to be a problem. The more underground the sex work is, the more potential there is for violence against workers and the exploitation of workers. Preliminary data suggest there has not been a significant decrease in violence against sex workers.

That's what we know so far. I think that of all the models we've seen and the research we've seen so far on those models, the model I feel most comfortable with is more the New Zealand model than the Swedish model.

I'm not sure if anybody else would like to add to that.

• (1300)

**Ms. Morgan Albl:** I don't know that I have anything to add, other than that preliminary data is showing that the Swedish model does have issues. There are problems, and predominantly around the issues of customers being criminalized. I think we can find a made-in-Canada solution. Research is available around all of these different models, and I think the committee definitely needs to consider and look at those things.

More consultation with the women this model is going to affect would probably be a really good thing, because I think sex workers both current and former have a lot to offer—a lot of knowledge, a lot of expertise. And it should be from all arenas of sex work. Exotic dancers have different issues from women on the street, or compared with women who might be independent or working escort. To hear from all of those groups would be really beneficial in terms of developing a model that would work here in Canada.

The other issue I would like to speak to is this idea of legitimization and decriminalization. If we're going to talk about decriminalization leading to some sort of legitimization of sex work, it then becomes a moral issue, and I'm wondering if that's a debate we really want to get into. I know there's a very polarized debate around it, but I would suggest that engaging in a moral debate would be problematic. I know that women who are still working don't see it that way, don't frame it that way, and I'm sure there is a significant number of Canadians who don't as well.

I know there are different perspectives on sex work. I'm familiar with a lot of the feminist perspectives, and even within feminism there exists a great deal of debate about what we need to do, whether women are exploited, whether they're making choices, whether we should see this as work or not see it as work. There's a lot of really interesting work being done in that arena. I really think that when we're talking about "legitimization"—I don't know if that's the word we want to use—what we're talking about then is the moral issue.

**The Chair:** We're going to have to move on. I see there are two people who would like to have a comment, but we have to let Dr. Fry have a chance. We'll come back for hopefully a three-minute round in which Ms. Davies for sure will give you the liberty to respond to those initial questions.

Dr. Fry.

**Hon. Hedy Fry:** Actually, I want to follow up on the Swedish model. We've heard that it has worked. Lots of people have

presented to us that it's great. In some of the reports we've read, depending upon whose report, if it has been the official report, apparently it's working.

Then we've read researchers from the universities who've said that actually there is less prostitution on the street, but it hasn't disappeared. It has gone underground, and in fact, what has happened now is that the women have absolutely no way to seek help from violent clients, or there are children, and if they have a partner, that makes it illegal for them to keep that partner, because those persons are now living off the avails of a criminal activity. It has made matters worse for many of the women, when you talk to them, so we go back to the point of whether the voices of the women who work in the street are going to be recognized as having some validity.

In some cases, we have to listen to people who are there. You cannot just sit, from another perspective, and look at it from one side and say, "This is what I know."

As a physician I had many patients who worked in the sex trade, and there were many different voices from those women. So we need to really give them a voice. If the feminist approach, as I see it, is really to allow women to have greater control over their choices and their lives, if some women choose this, then we cannot decide that we think it's not a good thing to do from where we stand, because then we become paternalistic.

What we want to do is eliminate the exploitation, the lack of choice, the poverty, the things that force women into survival sex, those things. To do that, as women have told us where we've gone, you have to look at a harm reduction perspective right now.

One of the harm reduction perspectives they have suggested is that many of these women are doing this to feed their kids. Yes, we can change the laws, we can get projects, we can help women out of poverty, but while this is happening, their children are living off the avails of prostitution. So those kids are now, in reality, participating in a criminal act.

So we need to look at all these things and ask ourselves if we see changing legislation in some ways. Legalizing is very different from taking out criminal elements. I want to really discuss that, because I think there have been a lot of people who've spoken to us here and in other places who think looking at some aspects of the Criminal Code that have caused more harm to the women than good means you are suddenly saying this is *carte blanche*; let's legalize and let's go with the German model where the state runs brothels and do that.

I don't know if that is what I want to discuss. I wouldn't like to see that happen, but let's look upon it as harm reduction. I want people to talk about whether the law creates more harm than good in some instances, which parts of this law. But all the other things you have all spoken about so well are key, because the law does not exist in a vacuum. The law has to be backed up by good public policy, good programs, and so on, that deal with all the aspects of the issue within society that we're looking at. But regarding women's choices over their bodies, I think we need to keep that in mind as feminists too, and not be telling women what we think is good for them and what is not, necessarily—if we remove the other pieces, the exploitative and forcing and coercing and controlling aspects of it.

I'd like to hear that discussed a little bit more. Because this is on the record, I think we need to make sure that we know what we're talking about here, the difference—and I think Gloria put it very well—between legalizing something, legitimizing it, and removing the harm caused by certain parts of the law that in fact make it worse for women who work in this industry at the moment.

• (1305)

**The Chair:** Go ahead, Jane.

**Ms. Jane Runner:** Thank you.

With regard to the harm reduction approach to things—and certainly there's a continuum of how we view harm reduction—decriminalization of the Criminal Code in sections pertaining to communication and the bawdy house is a form of harm reduction for the women themselves.

When you look at many women being charged with communicating and not going to court, they then get charged with failure to appear, which is a far greater charge than the communicating in the first place. So again, that is adding more trouble to their lives and to a criminal record. Decriminalizing that section would reduce that.

It's the same with the common bawdy house. Even though it takes a lot of police person power to enforce that one, and we don't see too many charges certainly in Manitoba around the bawdy house, we do know lots of people do need to use their residence or other residences to ply the trade.

I just want to clarify that in Manitoba, actually, johns are getting the same attention as the women, and have been for the last five to ten years, when the police have put a lot more person power into charging the johns.

Actually, I think Manitoba has been quite a leader with regard to a lot of issues of the sex trade. We now have the John Howard Society looking at the issues for johns, and you had someone here.

• (1310)

**Hon. Hedy Fry:** Silly, actually.

**Ms. Jane Runner:** So we are kind of jumping ahead and looking at the whole picture, and not just the one piece of it.

I just want to make a comment, too. Let's go back to the age. We've said this over and over again; young people are being exploited, and the average age is 13. That's the average age maybe kids have identified that they've actually been visible on the street. Kids as young as eight, nine, and ten are being sexually exploited and having to exchange their body for food, for shelter, for drugs. This still goes way back to such young ages that...you can't step away from here without addressing that. I just had to throw that in again.

**Hon. Hedy Fry:** Address it, Jane. I know you've done a lot of work—

**Ms. Jane Runner:** Give me money and I will.

**Hon. Hedy Fry:** I know you've done a lot of work, and I would really like us to hear some comment on that particular aspect, which I think is not adult prostitution. I don't like to call it child prostitution; it is the commercial sexual exploitation of children and youth, and we need to talk about that a little bit. Youth fall into the trap from a very young age, and we need to address that particular

aspect, which, although it's illegal, is not enforced. This criminal activity is not enforced.

So I would like to see if Jane can do that.

**The Chair:** Laurie.

**Ms. Laurie Helgason:** I just want to speak to you about young girls entering into prostitution, and the stigma they feel when they find out it's not a good thing to be into. How do they know it's a bad thing, if we tell them it's okay? How do they know? If adults are allowed to be in the trade, and it's a legal business, how do we tell children who have been forced into the trade, or who have no other place to go to support their families, that it's not a good thing to do, if we legitimize it?

I think we need to really focus on social supports for young women to exit the trade at any age—at 13, at 12, at 10. We need to empower young women to be able to leave the street, and give them safe places to go and education to help them get better.

**Ms. Gloria Enns:** I'd like to respond to your question about how we teach the kids something is wrong here. We teach them sexual abuse is wrong. We teach them adults and older kids are not allowed to touch them. We teach them nobody is allowed to touch them or make them remove their clothing or view them—no touching either way or viewing either way, or making them feel icky. We're putting the moral judgment, if you want to put it that way, the blame, on the adult abusing the child, not the child being abused.

I think that message isn't being really clearly portrayed with the older teens. I know teens in Manitoba are being arrested and charged as if they were prostitutes, as if they were actually wrongdoers, instead of sexually abused children. I think we have to be absolutely clear on the dividing line between that.

Not very long ago I had a different job; I worked in the criminal justice system with teens. I was in court, and a 16-year-old girl was in court being charged with robbery, because she stole the stereo of the man who was sexually abusing her and holding her in his apartment. She was being charged with the robbery of his stereo. The judge in this case was a very proactive person, and became irate that she had been charged at all, and irate that he had not been charged. It ended up not so much with throwing the case out of court as with demanding that CFS provide safe shelter for this girl immediately, and they weren't in attendance at court. Should they not come to court that day, he would personally take this young girl to the Minister of Child and Family Services and demand she get safe shelter.

That was the right attitude.

• (1315)

**The Chair:** Go ahead, just for a brief minute.

**Hon. Hedy Fry:** Okay, just for a quick brief minute. I think you asked an important question, but I think the first question should not be how to tell kids not to sell their bodies, because I think that's a moral question. I think it's how do we tell a kid at the age of five that if their father comes into their room and has sex with them, for free—not selling your body—this is where it starts, and this is how they suddenly believe their bodies are not worth anything.

I think we need to talk about the support services. This is not an either-or, but harm reduction is key while you're waiting to see if you can fix the issue. There will always need to be harm reduction. We don't suddenly wave a magic wand and make the world the place we want to see.

**The Chair:** You have 30 seconds to respond, Ms. Strega.

**Ms. Susan Strega:** I have done research with children and youth in care. I'm a former youth in care myself. These are children we discard. We've decimated the support systems for those children. We're making the age at which they can live independently younger and younger. We offer them nothing at the end of their time in care. It ought to be no surprise at all that they're ending up on the street.

There was a graphic illustration in the *Winnipeg Free Press* last weekend about resources in Point Douglas, the poorest area in Winnipeg. It has the fewest recreational, community, and park resources of any area in Winnipeg. Children there are on the street because that's the only space they have. They're vulnerable then to people who are seeking to sexually exploit them. It's simple.

**The Chair:** Ms. Davies, we had a lot of people who were anxious to respond to earlier questions from you.

**Ms. Libby Davies:** Yes, and I'm happy that people continue to respond. But if the chair has any questions, I'm happy to give over my time to the chair.

**The Chair:** No, please proceed. We have roughly ten minutes.

**Ms. Susan Strega:** I just want to make one more point about legitimization. I'm always struck by this idea that if we decriminalize, we're somehow legitimizing this trade. There are not ten customers in Winnipeg; there are tens of thousands of customers in Winnipeg. There are millions of customers in Canada. Clearly at some level many people, 99% of whom are men, think it's entirely legitimate to buy an adult and to buy children for sex. We're not talking about a matter of law here; we're talking about a matter of a sense of entitlement, a matter of attitude, and a matter of public perception. There's no shortage of customers; there are millions of customers. So clearly it's already legitimate, for many people, to be doing this.

I'm not trying to make a moral issue around this, but I think it's a false argument to say that decriminalizing it legitimizes it. I think what decriminalizing it does is stop making criminals of people who are on the other side of that transaction, who are existing within a market that is clearly available.

**The Chair:** Madeline, you wanted to respond, I believe, to Libby in an earlier round.

**Ms. Madeline Boscoe:** I understand what you're saying. This is what we wanted it.... We struggled with this about the clients as we were working through this issue. We ended up looking at the issue of kidneys, and at university students selling eggs, and asking ourselves.... There is a market, trust me. If you wanted to sell your kidney right now, I have people who would buy it.

There are things in society that are wrong. I'm sorry about the moral debate issue. Sometimes laws are about saying you can go this far, but you can't go any farther because there are other costs. I'm old enough to remember when people thought that rape was perfectly okay. It's not that long ago, in this country, that a woman would

come forward and complain about sexual assault, and they would say, "What are you talking about?" It's not that long ago.

I agree with you that we have a huge problem. What is that market? What drives men to do this? I don't get it. I don't think it's about love—it's not about that. It's something....

**Ms. Libby Davies:** I agree with you, it's not about love.

● (1320)

**Ms. Madeline Boscoe:** It's about power, I think. Laurie said this to me the other night, that it's about power. And that's exactly what we said about rape: it wasn't about uncontrollable sexual desire; it was about violence. In there, in the fact that we don't let people sell kidneys, is a truth, and one we have not explored well in Canada.

That's partially why we're pleading that the best thing you guys could say is that this is a social issue. We've murdered and massacred our information and support system, and we have to put it back. We have to put it back not for this generation, but for generations to come.

**Ms. Libby Davies:** Maybe some of you would like to respond. It seems that we're having more of a discussion.

I would agree that it is a lot about power. If we can recognize that, then part of the response to that is to change the power dynamics. What I've heard repeatedly from a lot of women is that the way the status quo is, they have no power whatsoever.

I remember hearing Maggie deVries speak, whose sister was one of the murdered women, and she talked a lot about power. She was arguing for decriminalization. Some people advocate forcibly removing people, but she wasn't. What she wanted for her sister, and what her sister actually wrote in her journal, was for her to have better control over her life so that she did have some power to make decisions. There was not just the relationship with the clients but a whole bunch of other things too. I think you've identified some things.

What is our response to that in terms of how the law plays out? I just feel that the way the law is now, it actually is reinforcing that imbalance that takes place.

Maybe others want to respond to that as well.

**Ms. Gloria Enns:** The way the law is now it assumes that in a transaction where there's communication, the woman who is selling and the man who is buying are equals and that they're both technically breaking the law, although many times nothing is done about that.

They're not equals. I've said it many times: give the women the cellphones and the cars and put the men out on the street corners and let them try to attract business. The women are not the ones with the cellphones and the cars and the shaded-over windows who are cruising around with wallets bursting with money. That's not the case. There is a power imbalance. They're not equals in their transactions.

**Ms. Susan Strega:** I want to reinforce the distinction Jane made. I don't think there's any way that any of us here would advocate the decriminalization of the sexual exploitation of children and youth. I think in fact we're in some despair about how existing laws just simply do not seem to be enforced.

I think of the case that happened in Saskatchewan just last summer where three men forcibly had sex with a 12-year-old aboriginal girl. Their defence was, "Well, we thought she was older". It's shameful that anybody could even think that's a legitimate defence to raise. But I'll note that those men were essentially not penalized for that. I think that sends a very clear message: that it's okay to buy or take sex from a child or a youth. We have to do something about that.

A few years ago the government put out a campaign around sex tourism, individuals going to other countries to buy children. The essence of that advertising campaign was to tell people that they were buying sex from children. I thought this was a hoot. That's why they're going. They know that those are children. These are not people who are accidentally buying sex from children.

There's a kiddie stroll here. It has moved from when I worked it. There are two big times for this business. One is between four o'clock and six o'clock when men are going home to their families in the suburbs, and the other big time is later on the evening when they've run out to the corner store to pick up a quart of milk. It's just like clockwork. There are other strolls where adult women work, but they're not going there. They want children and youth. We absolutely have to do something about it.

Jane ran an excellent program. The research clearly demonstrated that it was very helpful for children and youth. The funding for that program is gone.

• (1325)

**Ms. Jane Runner:** Yes, and I could go on and on about that.

**The Chair:** Go ahead, Jane.

**Ms. Jane Runner:** And if I can—

**The Chair:** The last word is yours.

**Ms. Jane Runner:** No.

**The Chair:** But you can't go on and on.

**Ms. Jane Runner:** Then, just to wind that up, in talking about that program, we had worked within the high-risk neighbourhood where a lot of folks are struggling and there is high sex trade activity, and we worked with some great families and kids.

The outcomes showed that these children are learning within what they saw as normal in their community and maybe their mother or their grandmother was involved in the sex trade. It was just part of their life. We were able to change that thinking and get the kids to see it differently.

And they knew then to tell their ten-year-old cousin who said she wanted to be a hooker, no, you can't do that. And we got that feedback from the kids and you need to get right in there and you need to talk about it and get those kids busy. And because it was a highly aboriginal community, you had to do that from a cultural approach, so all the staff were first nations or Métis and you had to use the culture as part of your service.

And then funding ended and we have kids there in that neighbourhood and that attention isn't there any more, so here we go again.

We also did a cost-benefit analysis of the sex trade and the University of Manitoba department of economics did it. It will be

released soon. It showed millions of dollars that could be saved if you just prevented two kids from getting involved in the sex trade. The evidence is there, yet I'm not getting anywhere with getting any funds to continue that. So there.

**The Chair:** When that study comes out, if it comes out in the very near future, could you send it to us?

**Ms. Jane Runner:** Yes, I will.

**The Chair:** Morgan.

**Ms. Morgan Albl:** I'd like to take this in a bit of a different direction—

**The Chair:** Very quickly, though.

**Ms. Morgan Albl:** —and that would be around the notion of choice and power.

I have heard from women—and these don't tend to be the women who are involved in street-level sex trades, but other women—that for them the choice between engaging in sex work in some ways is a much better, more empowering choice than other choices that have been available to them in the past.

I'm not advocating necessarily for that position, but I don't think we can also ignore that, particularly those of us who may identify as feminists and are looking at issues around these sorts of things, because we do have an economy that does penalize women who are low-skilled, etc. Asking them to work at McDonald's versus maybe being an independent contractor who has control over their working conditions and working hours are things I think we need to pay a little bit more attention to. And I think we have to make really clear distinctions between survival sex, street-level sex trade, and other aspects of the sex industry.

I wanted to end on that note, and that's okay.

**The Chair:** I thank you all for being here this afternoon. I'm sure Ms. Fry and Libby Davies would love to sit here all day and all evening talking about this. We have to be going down the road in 15 minutes and unfortunately we have to cut it off.

I think this has been perhaps a rather more informal discussion, as opposed to a debate and questions and answers, and that's good for us as well.

**Hon. Hedy Fry:** See, that's what happens if you get a bunch of women around the table.

**The Chair:** I was feeling a little left out as far as—

**Hon. Hedy Fry:** That's how we do business here, informally.

**Ms. Madeline Boscoe:** I was thinking about it, that it has changed how I would talk about some of these things. For our young men to engage in prostitution, I don't get it. You write about it's like a flood, right? I agree with you, but why? Why is that? What is that about? We don't know much about that. Men don't like to talk about it a lot, and we all know—going back to the milk story—those are real stories. These are fathers and judges and the whole kit and caboodle, and I think we need some research to understand what that dynamic is.

**Hon. Hedy Fry:** Madeline, what's sad is that these men go home to their own 12-year-olds and would not touch their 12-year-olds or allow anybody to touch their 12-year-old friends, but they see the 8-year-old on the street as another form of garbage and they say this

kid likes it; this kid really is here because this kid wants to be. And along with it is the myth that if you go to a 9-year-old you can't get sexually transmitted diseases, etc. So we're talking here not about a power imbalance, because you could have power over your own kids at home, but it's all about discrimination and stereotyping as well.

• (1330)

**Ms. Madeline Boscoe:** Do you think it's a side effect of testosterone?

**The Chair:** I think we need a little more gender balance here.

The meeting is adjourned.

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