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Chair

Mr. Mike Wallace

Standing Committee on Justice and Human Rights

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• (1530)

[English]

The Chair (Mr. Mike Wallace (Burlington, CPC)): Ladies and gentlemen, it is my pleasure to welcome you to the Standing Committee on Justice and Human Rights, meeting number 70. According to our orders of the day, pursuant to order of reference of Wednesday, March 6, 2013, Bill C-452, an act to amend the Criminal Code (exploitation and trafficking in persons) will be in front of us today, Wednesday, and Monday of next week.

Before we begin with the mover of the bill, we have two budgets in front of us. They are both for witnesses we've had for the two previous private members' bills. One is \$600 for the standing committee presentation. This was for Bill S-209, the prize fights. Would somebody move that for me?

Mr. Robert Goguen (Moncton—Riverview—Dieppe, CPC): I so move.

(Motion agreed to)

The Chair: The other one is for Bill C-444, an act to amend the Criminal Code (personating peace officer or public officer), which we dealt with. That was for witnesses and it was for \$3,000. Would somebody move that for me?

An hon. member: I so move.

(Motion agreed to)

The Chair: Thank you very much.

Madame Mourani is here to talk to us for about an hour. We have an hour for you—so 10 minutes of introduction—from 4:30 to 5:30 on her Bill C-452.

The floor is yours, madam.

[Translation]

Mrs. Maria Mourani (Ahuntsic, BQ): Thank you very much, Mr. Chair.

I would like to greet all my colleagues and thank them for allowing me to speak on this very important bill.

My presentation is divided into two main sections. During the first one I will explain what led to the bill. Mainly, I want to tell you about the thought process for the bill. In the second part, I will focus on the various clauses.

First, this bill was created in three main steps over a year and a half. It took a long time to develop. My objective when I began was to understand the perspective of the people on the ground. The first

step was therefore to meet with specialists on the ground who were in direct contact with victims of the trafficking and procuring of persons and with traffickers and pimps. This meant groups working with victims and police.

My objective in collecting this data was to understand legislative needs. Of course, there are other needs, such as awareness campaigns, resources for police investigations and resources for victims. In fact, there are very few shelters. We are in desperate need of shelters in Quebec. However, I was also interested in the legal aspect of this issue. Our efforts led to some very interesting points, which I will present later.

The second step after data collection was to translate these needs into a bill. I worked with our legislative drafters here at the House and we submitted a draft bill.

Finally, I went back to the partners we had consulted to show them the first version of the bill and see if there was anything to improve, change and so on. The bill was then presented to other groups that were not necessarily involved in its creation and development. We wanted to know what they thought to see whether there were any problems with the bill on the legal front, for example. I therefore met with members of the Quebec Bar. I do not remember the exact number of criminologists who were at the meeting, but there were a number of them. If I remember correctly, the consultation was in 2010. I presented the bill and it was very well received.

Bill C-612 was then tabled on December 15, 2010. It went through second reading on March 24, 2011, but unfortunately died on the order paper because of the election.

After the election, I again tabled the bill after making a few adjustments. It was sent back to the legislative drafters because, of course, my colleague Joy Smith had tabled her own bill on this topic. Her bill contained some provisions that were also in my bill. For example, extraterritoriality was removed from Bill C-452 even though it had been part of my original bill.

So the bill was sent back to the legislative drafters and a new version of it was produced with a few changes. I would say that about 95% of Bill C-612 is still there. The bill was tabled on October 16, 2012, and passed second reading in March. I believe it is important to mention the groups that worked on this bill because this is their bill. I am simply their spokesperson. The Conseil du statut de la femme requested to appear before the committee and also submitted a document on this topic.

I consulted police experts at the SPVM. Their work on the bill involved the moral aspect and the sexual exploitation of children aspect. I also consulted the Comité d'action contre la traite humaine interne et internationale; the Association féminine d'éducation et d'action sociale, better known as AFEAS; the Regroupement québécois des centres d'aide et de lutte contre les agressions à caractère sexuel; the Regroupement québécois des CALACS; Concertation-Femme; the Concertation des luttes contre l'exploitation sexuelle, which I believe will also be appearing before you; the Association québécoise Plaidoyer-victimes; the Collectif de l'Outaouais contre l'exploitation sexuelle, which is with us today; the diocèse de l'Outaouais de la condition des femmes; Maison de Marthe; and, of course, the YMCA of Quebec.

These groups have asked to be heard during the committee's proceedings. I really want to thank them for the work they have done for over a year and a half. They continue to promote this bill. I want to give a big thank you to all of these groups.

I do not know how much time I have left, Mr. Chair. I have many things to say.

• (1535)

[English]

The Chair: You have another five minutes, madam.

[Translation]

Mrs. Maria Mourani: Fine.

One of the interesting things that came out of my consultations is that prosecutors, and sometimes even police officers, often tended to believe that human trafficking was international. When women cross the border to come to Canada, that was treated as trafficking, but when girls from Montreal ended up in Quebec City or even in Niagara, that was considered procuring. For trafficking, it depended on the prosecutor and the police officer.

To make things clear for everyone, I added the following specifications to subsection 279.01(1): whether it is in a domestic or international context, as soon as someone recruits, transports and so on, it becomes a matter of trafficking. Police officers will be appearing on this later. We know that trafficking is very widespread within Canada. In my opinion, it is much more widespread than international trafficking.

Girls from Quebec unfortunately find themselves in Niagara, in strip clubs or brothels. Girls from Montreal end up in Quebec City, and vice versa. Girls from Chicoutimi end up in Montreal and girls from British Columbia end up in Toronto or elsewhere. Human trafficking happens within the country and it concerns all of us, whatever the provinces concerned. There are no borders.

Another very important point that was often raised during discussions that I held with these people is, of course, the definition of exploitation. Section 279.04 of the Criminal Code concerns exploitation. There are provisions on organ trafficking and forced labour, but trafficking for sexual exploitation is not clearly defined. I therefore introduced a specific provision on sexual exploitation. It is subsection (1.1), following subsection (1), which concerns offering or providing labour, etc.

This definition was prepared very carefully to respond to all situations that could arise. Furthermore, it is practically taken verbatim from the Palermo Protocol, which targets human trafficking and transnational crime, and which Canada ratified on May 13, 2002. I think that with this addition, we clarify things and all of the dimensions of the term “exploitation”.

Forfeiture of the proceeds of crime is another very important point that was raised. People who work in policing and prosecutors spoke to me about it a lot. Trafficking is a very profitable crime because it is extremely difficult to prove under the current code. In addition, it involves very few risks. With drug trafficking, the drugs have to be bought and so there is the risk of being caught. But for this type of trafficking, the guys just have to recruit girls. To do so, they can use manipulation or seduction. In fact, what is called “grooming” is not done right away. It can be slow or fast, depending on the traffickers. Then, these girls are raped. They are gang raped. They are tortured and their family is threatened. After that, they make their appointments on their own. They are so terrorized that they do not even have to be forced to do so.

A girl can bring in a lot of money, depending on her looks and her age. The younger she is, the more she brings in. I have met, unfortunately, girls who had started doing that at age 12. A girl can bring in about \$280,000 per year. Twenty girls bring in \$6,552,000 per year, and 40 girls \$13,100,000 per year. These are figures from the Canadian Security Intelligence Service.

Here, I am not just talking to you about low-level street prostitution. I am talking about a group of things, notably strip clubs. What's more, the SQ estimates that 80% of strip clubs in its jurisdiction belong to organized crime, under front men. We are also talking about massage parlours, which are popping up like mushrooms just about everywhere. I do not know if that is the case everywhere in Canada, but I can tell you that it is in Montreal. In my riding, they are already popping up like mushrooms.

• (1540)

There are also escort agencies and bawdy houses that are too numerous to count.

Paradoxically, confiscating the proceeds of crime is done through drug offences and any offence associated with organized crime. If we do it for drugs, it is high time we did it for human beings, because that is even worse. Slavery is worse than drug trafficking. In fact, all of that is described. Clearly, selling drugs is bad, but selling human beings and treating them like merchandise is repugnant. It is high time for this to stop being lucrative for pimps because at this time, it is quite lucrative. If we seize their big cars and big houses, they may think about it twice.

You said I had two minutes left, so I will be able to tell you more during questions.

The other issue is presumption. Presumption is a fundamental aspect. This bill contains two important elements: presumption or what is known as “reversal of proof” and “consecutive sentences”. That is fundamental for victims. In fact, it was one of the most important issues raised by victims' groups and the police. It was discussed a great deal.

Currently, the Criminal Code is drafted in such a way that the burden of proof rests entirely on victims. Indeed, we know that without their testimony, it is extremely difficult to bring someone to trial. When we are dealing with adults rather than minors, it is even worse. You should know that trafficking victims are quite reluctant to testify. These women have been through hell. They are experiencing major post-traumatic stress. The fact of seeing their attackers again, talking about everything that happened and retelling their horror stories prevents them from testifying, since, quite often, they are afraid their attackers will get out of prison. They wonder what they will do to them. It is extremely difficult to send someone, whoever it may be, to testify after having been victimized by one of these networks.

In closing, I would like to say something about the reversal of the burden of proof. If my colleagues wish, I can tell you more about consecutive sentences a bit later. Several victims' groups asked me to stop imposing the burden of proof on victims as is currently the case for procuring. In fact, presumption, in cases of procuring, does exist in the Criminal Code as we speak. So let us do so, not only to help the police and provide them with tools, but also to relieve victims and give them justice.

Thank you, Mr. Chair. If you wish, I will tell you about consecutive sentences later on.

The Chair: Thank you, madam.

[English]

Our first questioner is Madame Boivin from the New Democratic Party.

[Translation]

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

Ms. Mourani, thank you for your presence today.

Your bill deals with several issues that are of great concern to us. We have discussed it at great length since I have become the justice critic for my party, as well as when I introduced the bill sponsored by our colleague, Ms. Joy Smith. Naturally, any actions that could eliminate human trafficking are desirable. I cannot think of anything more degrading.

That being said, we must still consider the legal aspects of the issue. I know you worked with the legislative drafters. I am quite concerned by this issue because if we enact legislation that will be overturned in court because it violates the charter, we will be no further ahead and back to square one.

What measures have you taken, on top of those undertaken with the Quebec Bar Association, to make sure your bill does not contravene the charter, especially, as you said, with respect to the reversal of proof, presumption and consecutive sentences? Like you, I do not find it difficult to understand that consecutive sentences already found in the Criminal Code certainly exist for very serious crimes. It could certainly be said that human trafficking and procuring are also very serious crimes.

Have you had any consultations about this? What replies did you receive from specialists?

Mrs. Maria Mourani: The answer is yes, because that was one of the first questions we asked ourselves. We wanted to know if it was constitutional.

As to the legislative drafters, I received no such warning. As you know, if one is drafting a bill that may contravene the Constitution, one is told.

Furthermore, the Quebec Bar's criminal lawyers also examined the issue. They advised us that this already existed for procuring. However, there are pending cases before the court, we cannot disregard that. Anything can be challenged, by the way. Anything that is found in the Criminal Code can be challenged. We've seen that in the Bedford case which is now before the Supreme Court and which deals with several provisions.

• (1545)

Ms. Françoise Boivin: That was my next question.

In your bill, you included the concept of internal trafficking.

Mrs. Maria Mourani: Yes.

Ms. Françoise Boivin: I'm finding it a bit difficult to see the difference between that and prostitution as we know it. I am thinking here of the case that is currently before the court. I was wondering whether adopting your bill could short circuit the decision in the Bedford case. We are all awaiting the Supreme Court of Canada's decision on this subject.

I am trying to see, within your bill, a concrete nuance between procuring and internal human trafficking. I wonder whether it would be better to amalgamate sections 212 and 279.

Mrs. Maria Mourani: We do not have the exact numbers for Canada, but the UN has done a very good job of determining them: 80% of trafficking victims are used for prostitution. We can only work with what we have, in this case the Criminal Code. Things will evolve depending on the Bedford decision and the government's response to it. Indeed, the government will have to react. We saw that the government pursued this case all the way to the Supreme Court. It clearly does not agree with the decision. Depending on the Supreme Court decision and the government's subsequent response, an adjustment will have to be made. However, for the time being, all we can do is use what we have, that being the Criminal Code. This is what we have done.

Ms. Françoise Boivin: Am I mistaken in saying that the notion of "sex trade worker", that we hear in some circles, would not apply in the context of a bill like this one? I do not know if you have spoken to representatives from Stella, for instance, or others who take the opposite stand. Feminist groups are somewhat divided on the question. We are all aware of this.

Mrs. Maria Mourani: Yes, absolutely. In fact, I would say that this bill really deals with trafficking in persons. Do you understand?

You are right on one front. If there were legislation that clearly expressed Canada's position on prostitution, I believe all other legislation would align with that vision. There are two schools of thought currently. There are those who favour legalizing prostitution, with everything that involves, they use words like "sex work" and almost refer to unionization. On the other hand, you find people who call for the abolition of prostitution. They use words such as prostitute, procurer and pimp.

I personally am in favour of abolition because I am of the view that this is never work, but rather exploitation.

Ms. Françoise Boivin: At least it is clear.

Mrs. Maria Mourani: I have always been quite clear.

I can tell you that in this bill, there is a slight distinction between domestic trafficking and prostitution, and that is the notion of transport. In the definition of trafficking we find the terms recruitment, transportation, transfer, etc. It is a slight distinction. That said, you are right in saying that domestic trafficking is mainly prostitution. However, there is also forced labour. Do not forget that trafficking also covers forced labour and organ trafficking, a problem we fortunately do not have in Canada, at least not to my knowledge.

The Chair: Thank you, madam.

[*English*]

Our next questioner, from the Conservative Party, is Madame Smith.

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

Thank you for coming to committee, Maria. Congratulations on your work on human trafficking.

Bill C-452 will add heavier penalties to human trafficking offences by requiring the imposition of consecutive sentences for engaging in this type of terrible conduct, in my opinion. It's the kind of thing we don't want in this country.

Do you agree that penalties for this type of offence should be severe, and if you do, why?

• (1550)

[*Translation*]

Mrs. Maria Mourani: Absolutely. Because this is a heinous crime.

We sometimes forget that slavery exists in this day in age. We remember the African slave trade. However, trafficking in persons follows the same path as that slave trade. Trafficking in persons also includes children. We should never forget this and there is no need to go to Thailand to see it.

I will give you an example. Criminal Intelligence Service Canada has found that the average age of people entering prostitution is 14.

As far as I am concerned, the crimes we are dealing with are appalling and should lead to harsh sentences. Not only would consecutive sentences allow for harsh penalties, but they would allow for broad judicial discretion.

I have often heard people say that consecutive sentences might prevent judges from being able to decide on sentencing, which is false. In fact, I could send the committee, if it so desires, a copy of the legal writings that exist in this area. For instance, François Dadour, in his 2007 publication entitled *De la détermination de la peine — principes et applications*, explains how to proceed when imposing consecutive sentences. His way of expressing it is quite interesting. He shows the judges must take into consideration the totality principle. So, this means that in establishing various sentences for various offences, the totality principle must be

considered. This is not about mandatory minimums the judge must impose.

[*English*]

Mrs. Joy Smith: Thank you for that answer.

I think we got a little bit off track.

[*Translation*]

Mrs. Maria Mourani: Fine.

[*English*]

Mrs. Joy Smith: I'd like to talk more about the way young people are coerced and misled, because I don't think the public understands. The perpetrators come on as their friends.

My question was: do you agree that penalties should be very severe, and if so, why? What I would like you to talk about is the way the kids are lured—they're in it before they know—and what happens once they are separated from their support systems, their families and friends, people like that. In my opinion, the coercion and the deception is a huge part of why very vulnerable youth get caught up in this.

Do you want to comment on that?

[*Translation*]

Mrs. Maria Mourani: Absolutely. I am sorry. My legal side got carried away. I will wear my criminologist hat now.

I will tell you about what I know best because I have seen it on a daily basis and I have met with them, in other words street gangs. For a long time, they have been recruiting young girls. Today, street gangs are not only recruiters, they are high-level pimps. In other words, they transfer young girls from one area to another. For instance, there are groups in Niagara. I am referring specifically to that area because they have close links with Montreal-based groups.

Recruiting usually starts with seduction. At first, men will seduce the young girls. Make no mistake; this does not mean these young girls are necessarily poor, there are also middle class girls who end up ensnared by these guys.

At first, a young girl may believe she loves this man and that he is her boyfriend. So, there is deceit and manipulation. He will have her experience all sorts of things. He will take her out and buy her gifts. However, at some point, he starts telling her that she has to pay off the debt.

A great deal of disinhibition occurs. Young girls are sent to parties and, I am sorry, but I will be using crude terms, they are brought there so that they will sleep with everyone and take part in orgies. The men start to do this type of thing and when the girls start saying no, that is when they take these girls by force and stick them in apartments. They do not even know where they are and groups of men rape them. This is what they call a gangbang. Sometimes they will be raped by 15 guys in a row.

We heard testimony from a victim who said 40 guys had raped her in the course of one evening. She could not remember when it started or when it ended. This case is currently before the courts.

Afterwards, the young girls are completely isolated. Their families are threatened, their little brothers or little sisters. They are told that they will not be getting it but their little brother or their little sister may. They absolutely terrorize these young girls. They take away all of their ID. The only thing these girls will be allowed to do is put on makeup. They will be given clothes and have to deal with 10, 20 or 30 johns per day.

• (1555)

The Chair: Thank you, madam.

[English]

Our next questioner is from the Liberal Party, Mr. Bélanger.

[Translation]

Hon. Mauril Bélanger (Ottawa—Vanier, Lib.): How much time do I have, Mr. Chair?

[English]

The Chair: You have five minutes, or with my discretion, a little bit more, maybe.

Voices: Oh, oh!

[Translation]

Hon. Mauril Bélanger: Thank you.

As you know, I am not a member of this committee; I am replacing my colleague, Mr. Cotler. He made a statement regarding your bill. Have you read it?

Mrs. Maria Mourani: Yes, I have.

Hon. Mauril Bélanger: He supports several elements of your bill without hesitation. In fact, he commends you on your bill. I am doing the same.

Mrs. Maria Mourani: Thank you.

Hon. Mauril Bélanger: Also, he points out two issues. He was hoping they would be examined a bit more closely by the committee.

The first relates to a point already raised by Ms. Smith. It has to do with concurrent sentences. Can they be concurrent or must they be consecutive?

Mr. Cotler wanted to know to what extent you would be open to this notion. He does not want to restrict judges' discretionary powers with impunity. Obviously, circumstances vary from case to case. So there is a need for this discretion.

He seemed to favour encouraging the imposition of consecutive sentences rather than making this an obligation. We have seen the result of your discussions with the Quebec Bar Association. If this question was raised, what were your thoughts on the matter?

Mrs. Maria Mourani: Thank you for your question.

First of all, in my discussion with the Quebec Bar Association, the issue of consecutive sentences has not been a problem. There was more discussion about reverse onus. That discussion did happen, but

Hon. Mauril Bélanger: Are you referring to presumption?

Mrs. Maria Mourani: Yes, that is correct, presumption.

Hon. Mauril Bélanger: That is the second issue, I will get back to you.

Mrs. Maria Mourani: With respect to consecutive sentences, I did listen closely to my colleague Mr. Cotler's speech. I must say that I'm still having some difficulties understanding what problem may arise with respect to judicial independence. I called for additional research to be done to make sure I was not mistaken. I would like to tell you about Mr. Dadour's philosophy, put forward in 2007. I could send Mr. Cotler information to that effect, but I am sure that he must already have it. In fact he refers to two cases that are before the Supreme Court on the issue of consecutive sentences.

There is the issue of totality. Let me give you an example. Let's imagine that someone is charged with trafficking, procuring and aggravated assault and is found guilty. Let's assume the judge imposes a three year sentence for trafficking, two years for procuring and two years for aggravated assault. If it were a concurrent sentence, it would amount to three years. If these were consecutive sentences, he could hand down exactly the same sentences. Nothing is preventing him from handing down those sentences. He has all the latitude required to do so. By virtue of the principle of totality, he will do mathematical calculations. If at the end of the day he wants to hand down a seven-year sentence or a five-year sentence, he will do the calculations in order to arrive at a five- or seven-year sentence overall.

I can get back to what my colleague was saying. He was concerned that there may be a danger of limiting judicial discretion. As far as I am concerned, that is not the case because this is not a mandatory minimum sentence. In his book, Mr. Dadour states that "the legislator provides...". Indeed, the Criminal Code already contains consecutive sentences. They are related to offences such as the use of a firearm, terrorism, possession and manufacturing of explosive substances. You see what I mean. There are five of these offences in the Criminal Code. He clearly states that the principle of totality is also a logical outcome of the principle of proportionality. The judge is therefore not only independent in his decision-making, but he will also take into consideration this principle of totality which is directly related to the principle of proportionality of the offence and sentence.

• (1600)

Hon. Mauril Bélanger: In listening to you, Ms. Mourani, I am sensing that the principle of totality would lead to longer or harsher sentences. I am not a lawyer but could there be circumstances where judges may want to be more lenient and reduce the total sentence?

Today there are cases before the courts involving young girls who allegedly acted as pimps for other young girls, for instance. So, if the judiciary wanted a lesser sentence rather than a harsher sentence but the consecutive sentences were mandatory, would judges not be bound by that?

Mrs. Maria Mourani: I would say that that is not at all the case given that the totality principle is determined by the judge. It is the judge who decides on the totality of the sentence. Therefore, if the judge wants to hand down a total sentence of three years, he or she will impose three one-year sentences. You see how it works?

Hon. Mauril Bélanger: Except in the case of minimum sentences.

Mrs. Maria Mourani: That is something different. If there are minimum sentences, the judge is required to impose them.

Hon. Mauril Bélanger: In certain cases, these may be consecutive.

Mrs. Maria Mourani: I am not 100% sure about that.

Hon. Mauril Bélanger: Nor I. I will allow my colleague, Mr. Cotler, to clarify that.

Mrs. Maria Mourani: All right.

[English]

Hon. Mauril Bélanger: I'm done.

[Translation]

Mrs. Maria Mourani: I would just like to add that the two offences that carry consecutive sentences are human trafficking and procuring. There are no minimum sentences in those cases.

Hon. Mauril Bélanger: Not yet.

Mrs. Maria Mourani: There are none. I can only work with the Criminal Code as it stands.

Hon. Mauril Bélanger: All right.

Thank you.

[English]

The Chair: *Merci.*

Our next questioner is Mr. Albas from the Conservative Party.

Mr. Dan Albas (Okanagan—Coquihalla, CPC): Thank you, Mr. Chair.

I want to thank our witness for being here today.

This committee in particular has done a lot of private members' business in the area of the Criminal Code, so I'm certainly getting a lot more familiar with the provisions of the Criminal Code, the different philosophies of either party, and individual members and their concerns.

I'm going to reference some of your comments that you made earlier today in your opening testimony.

Our committee recently studied Bill C-394, which is on criminal organization recruitment. That was introduced by our Conservative colleague Parm Gill. Mr. Gill's bill proposes to create a new indictable offence that would prohibit the recruitment, solicitation, encouragement, or initiation of another person to join a criminal organization. This offence would be punishable by a maximum of five years' imprisonment, with a mandatory minimum imprisonment of six months if the individual who is recruited is under the age of 18.

In your testimony you clearly linked human trafficking with criminal organizations, particularly organized crime. In my opinion, a link can be made between the harmful actions of street gangs and the trafficking of women. Unfortunately, street gangs are using the trafficking of women more and more in helping to advance their goals.

Could you please explain a bit more about the relationship between the trafficking of women and street gangs?

[Translation]

Mrs. Maria Mourani: Thank you very much for the question.

You are completely right in saying that recruiting is very important. These groups thrive on the recruiting of young girls. In the 1980s and 1990s, street gangs were a lot less enterprising, but they have become expert recruiters and they now specialize in juvenile prostitution. It is their specialty.

Unfortunately they recruit vulnerable girls who end up in youth centres for example. I worked in these centres and I remember that we had to really keep an eye on our girls because sometimes the houses were connected. The recruiters go to places where the girls are the most vulnerable. This is well known. Sometimes girls recruit on their behalf. This does not happen often but we are seeing it more and more. These are girls who have been victims themselves and who live in constant fear. They say they have no other choice but to recruit other girls if they do not want to be the one that is beaten up or tortured.

Even if you are an MP, you cannot really renounce your past roles. These girls still come to see me, even though I am an MP. As long as I live, I will never forget this girl of about 19 whom I met not that long ago. She told me that her most painful experience occurred when she was 15 years old. She was in the back seat of a car that was taking her from Montreal to Quebec City, along with other girls, to be sexually exploited in a duplex. There was a 12-year-old girl there and she was crying.

This is a substantial problem. Street gangs are recruiting nonstop. The police officers I know tell me that as soon as these guys get out of jail, they grab their cell phones and start up again. I am talking about gang members, but let's not forget the Russian mafia, the Asian mafia or triads, in places like Vancouver, and criminal organizations. There is a lot of talk about street gangs, but transnational criminal organizations are very involved in human trafficking, whether it be international or national.

Our children are recruited at a very young age. Our young girls are exposed to certain images. They are constantly told that in order to be someone, they must walk around half naked and be beautiful. Messages like this are constantly circulating, whether it be in ads or at school, they contribute to making our girls more vulnerable. They are approached by guys who are very nice and handsome, who tell them they will give them all the love that they have been deprived of. That is how they get them mixed up in these kinds of systems. No one can even say how many young female minors are currently involved in these prostitution networks.

Mothers send me emails or call me to tell me that their daughters are in the Niagara region, for example, and they beg me to help them get them out of there. These young girls believe these guys are their boyfriends. I asked one woman how old her daughter was and she said 17. When I asked her how old her daughter was when all of this started, she said 14.

I can tell you one thing: we don't need to go all the way to Thailand to see situations like this involving children. We can continue to fight and fill the gaps in the Criminal Code as much as we can, but as long as there is no real legislation on prostitution, we will never be able to tighten up all the loopholes.

•(1605)

[English]

The Chair: You have a quick question?

Mr. Dan Albas: Mr. Chair, I just wanted to say to the committee that we've been hearing some testimony in the last few committees just reminding us that there are people connected to what we investigate here. Certainly whether it's street gangs recruiting children, or in this case exploiting our young children, I think it's incumbent upon us to keep those people in mind and to support legislation that will protect them.

Thank you.

The Chair: Thank you for the question.

Mr. Mai, for the New Democratic Party, go ahead, please.

[Translation]

Mr. Hoang Mai (Brossard—La Prairie, NDP): Thank you, Mr. Chair.

Ms. Mourani, thank you for being with us today. I don't think we can remain indifferent to all of this, especially after hearing your stories. Human trafficking and exploitation is a subject that affects all of us. I am very pleased that we are moving forward on these questions.

I would like you to talk to us a little bit about aboriginal women. There hasn't been much talk about them, but they experience many problems like this.

You touched on the fact that prostitution needs to be dealt with. However I would like to know if the objective is to crack down only on prostitution or if this could also affect domestic workers for example, since we are talking about human trafficking.

Mrs. Maria Mourani: I would say that since this bill deals with human trafficking, it also affects domestic workers. The issue is forced labour, whatever form it takes. It may be domestic work or something else. Anyone who is exploited for their work is affected by this.

Moreover, aboriginal women are very relevant to this discussion. There is a group of aboriginal women who recently took a stand in favour of abolishing prostitution. It's bothering me that I can't remember the exact name of the organization. That is unfortunate. Perhaps my colleagues have heard of them before.

You know, prostitution is based not only on unequal relations, but also on racism. Recently I heard an aboriginal woman talk about how she was raped by two white men. Forgive me for saying it like that, but that's how it was reported. During the rape, the two men said that they were raping her because she was aboriginal. Prostitution is built not only on unequal relations, but also on racism and degrading others.

It's important to mention that prostitution clients are mostly men, whom I would refer to as prostitutes. However I would like to be clear that we are talking about a minority of men, and not all men, who go to see prostitutes. Unfortunately, in many cases these men are looking to be in a position of domination and racism is involved too. So this includes Asian, Russian or Latin American women. Recently, I met some girls from Bangladesh who had just arrived in

Quebec and who didn't even speak the language. They could barely speak a word of French. And they were being approached by recruiters. Indeed, these exotic women — excuse the term, but that is how they are referred to in the field — are highly sought out.

•(1610)

Mr. Hoang Mai: Okay, but I would like to understand something better. Do you believe that your bill is going in that very direction, that is, toward the elimination of prostitution?

Mrs. Maria Mourani: Unfortunately, no. The bill does not seek to eliminate prostitution. In my opinion, that should be addressed in a government bill. It is a major social issue. A lone member of Parliament cannot lead this crusade, even if the bill receives the support of many groups who are in favour of eliminating prostitution and who would like to see this type of bill originate in Parliament. I can tell you that I would support that wholeheartedly.

However, this bill deals with human trafficking and seeks to close the gaps concerning the trafficking of persons, and the fact remains that sexual exploitation accounts for 80% of human trafficking. So this also involves procuring.

Mr. Hoang Mai: You spoke about the support you are receiving. I know that within Parliament, the situation is slightly different for you now. Have you received some support from the other parties? Do you feel that the other parties can help you? As you mentioned, you are a bit of a lone crusader in putting this bill forward and having it passed.

Mrs. Maria Mourani: Are you referring to the bill before us?

Mr. Hoang Mai: Yes, absolutely.

Mrs. Maria Mourani: In fact, I have been very pleased with the support I have received from all members at second reading. Ms. Smith and I are working together. When it came to the vote at second reading, I saw that the members were unanimous. I hope, and I am even very hopeful that, at third reading stage, we will all vote in favour of the bill.

In my opinion, this is a non-partisan bill. We held discussions within our party, and I said that we were here to work for the good of these victims, and not to engage in petty politics. At least, that is what we are doing on our side, I can guarantee that.

The Chair: Thank you, Ms. Mourani.

[English]

Our next questioner is Monsieur Goguen from the Conservative Party.

[Translation]

Mr. Robert Goguen: Thank you, Ms. Mourani. I agree with you: it is non-partisan. These are absolutely horrific crimes that must be deterred, and I think that this is the direction in which your bill is going.

The bill stipulates that sentences for human trafficking and for procuring must be served consecutively. Comparatively speaking, the other offences for which the Criminal Code imposes such sentences are terrorism, acts committed by criminal organizations and acts involving firearms. I think that I already know the answer, but I will ask you the question anyway. You are raising this crime to the same level because it follows the same logic: in fact, it involves firearms and it comes under organized crime, coercion and terrorism. Am I right?

• (1615)

Mrs. Maria Mourani: Oh, oh!

Mr. Robert Goguen: Very well, I think that gives me the answer.

Mrs. Maria Mourani: For me, that is a serious crime. I think that for all of us, around this table, that is a serious crime that deserves a harsh sentence. After having spoken with prosecutors and even police officers, I wanted to observe the following principle, which is that the judge can determine the sentence as he or she sees fit, whatever the offence concerned, be it forced labour or sexual exploitation. But as legislators, we must make it clear that these crimes are considered serious enough to call for consecutive sentences.

As for consecutive sentences, beyond the fact that the sentence must be severe enough for the crimes committed, there is the following situation, which is very important. When the victim sees that the man who assaulted her for weeks, for months, even for years, is charged and found guilty of trafficking, pimping and aggravated assault, but he only gets a three-year sentence because only the trafficking sentence is taken into account, she does not understand. This man raped her, tortured her, and she has the impression that she is nothing. She tries to reconstruct her humanity, and yet this man is only sentenced to three years in prison. There are many cases like this one.

To my knowledge, the longest sentence imposed was seven years. It was for atrocious crimes involving several victims. The victims do not understand why these men, who were charged with these crimes, are not serving an appropriate sentence. During their healing process, the victims have the impression that society is inflicting yet another injustice upon them.

It is very important not to forget that this bill is intended to give police officers and prosecutors tools, but also to give victims real justice. They are told that it is not up to them to carry the burden of proof. These men committed atrocious crimes and they will pay for them. Furthermore, if they are found guilty, the proceeds of their crimes will be taken from them. Whether it happened in Canada, between Montreal and Quebec, between Niagara Falls and Toronto, or on the way from Russia, it is all the same.

I have just been given the name of

[English]

Aboriginal Women's Action Network.

[Translation]

Thank you very much. The people who created this group have officially established that they want prostitution abolished, in order to protect the young girls and adult women in their communities.

Yes, you are right: the sentences that are imposed must serve as an example and the proceeds of crime must be confiscated. Victims must not be victimized yet again.

I think that the current Criminal Code will allow us to accomplish great things. I truly hope that during third reading, all of my colleagues will vote to support this bill, just as they did during second reading.

[English]

The Chair: Thank you.

Our next questioner is Madam Morin from the NDP.

Oh, that's not whose name was given to us.

Go ahead, Mr. Jacob.

[Translation]

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

Thank you, Ms. Mourani, for being here with us.

Bill C-452 condemns human trafficking, which is an odious crime, and updates the Criminal Code in this regard. It can be said that, overall, it is a step in the right direction. Notwithstanding the issues raised earlier by Françoise, I would like to know if you are in favour of establishing a permanent policy against human trafficking. Indeed, without such a policy, we risk losing track of the victims. They could be forgotten.

On another note, we spoke a bit about aboriginal people, first nations, the Inuit and Métis who are particularly affected by this problem and who wish to actively participate in fighting human trafficking. The funding reserved for aboriginal women was reduced by the Conservatives. In spite of that, do you want to include aboriginal people from throughout Canada in your bill?

• (1620)

Mrs. Maria Mourani: Could you clarify your question? All aboriginal people are affected, this affects all human beings who live in Canada.

Mr. Pierre Jacob: During your consultations, did you go all over Canada?

Mrs. Maria Mourani: No, unfortunately. It just was not humanly possible. It took me a year and a half to consult all of these groups and put all of this together.

However, I would say that this bill is going in the direction that other pan-Canadian groups are asking for, be it aboriginal women, women of Chinese extraction or even men. We talk a great deal about women, but it could also be young boys. From the moment that a human being is a victim of trafficking in Quebec or in Ontario, this affects all of Canada. I would even say that before, this had implications outside of the country. From the moment that one is a victim of trafficking, one is affected by the law.

I did not consult all of Canada's groups. It was not humanly possible.

Mr. Pierre Jacob: You concentrated on Quebec.

Mrs. Maria Mourani: That is right.

However, I consulted pan-Canadian groups, such as CATHII. The groups that these people deal with in Canada are informed and they support the bill. My home base is CATHII. CLES has links throughout Canada. Otherwise, these groups are from Quebec.

Mr. Pierre Jacob: I am pleased to discover that you are aware of the country as a whole.

Mrs. Maria Mourani: I am aware of the entire world, dear sir. I also think about the children in Thailand who are being subjected to these things. It is an odious crime, regardless of which country one is in.

Mr. Pierre Jacob: There is a blatant lack of resources for our police forces and of knowledge about human trafficking.

Did you come across that during your consultations?

Mrs. Maria Mourani: You want to know whether I was struck by this?

Mr. Pierre Jacob: Indeed, it is the case in Montreal, of course, but it is the case throughout the country. Many police forces lack the necessary means. It could be because their programs were not renewed. Of course, laws are needed, but to stop criminals, we need to have police officers on the ground.

Mrs. Maria Mourani: Certainly, there is a lack of resources everywhere. There is a lack of resources for investigations. There is a lack of resources to help victims directly. I will talk about Quebec, where a national strategy is needed. I am talking about a strategy for Quebec, like the one that British Columbia established. Indeed, British Columbia has a provincial plan with awareness campaigns. There is an attempt to invest money for shelters.

I think that in Quebec, a national strategy is needed. I know that the current government is holding discussions to establish a national strategy. I hope that that will indeed be the outcome.

In Canada, because we are still talking about Canada, what is needed is a real law on prostitution. The current system is—excuse the term—a bit hypocritical. Indeed, prostitution is declared legal but solicitation is illegal. That does not make any sense, in my opinion. Canada should be one of the most forward looking countries in America. It should imitate Sweden and criminalize the purchase of sexual services and implement a plan, framework legislation, that includes resources and awareness campaigns. Not only should pimps be criminalized, but clients as well.

I think that if we had framework legislation as they do in Sweden or Norway, we would have a strong vision that would be both modern and humane in Canada. I can tell you that I would support it.

Mr. Pierre Jacob: Thank you, madam.

•(1625)

The Chair: Thank you.

[*English*]

Our final questioner is Mr. Wilks from the Conservative Party.

Mr. David Wilks (Kootenay—Columbia, CPC): Thank you, Mr. Chair.

Thank you for your presentation today. It's certainly something that is required across Canada.

I fully agree with you on consecutive sentencing. As a retired police officer, I think that's not a bad thing. But that being said, as you're aware, Madam Smith's former bill, Bill C-310, extended extraterritorial jurisdiction for the criminal code in trafficking offences and clarified the definition of exploitation in section 279.04 by creating interpretative tools to assist the courts specifically if someone used or threatened to use force on another person, used coercion, used deception, or abused a position of trust, power, or authority, and as a result of that, exploited another person for the purpose of trafficking offences under the Criminal Code.

Some of the amendments you're proposing overlap some of the recent reforms brought forth in the law by Madam Smith. As a result of that, I'm wondering, when we address this at committee, whether you are okay with amendments that will ensure consistency and clarity with the law that already exists.

[*Translation*]

Mrs. Maria Mourani: Yes, definitely.

As I said at the beginning of my presentation, I did check with our legislative drafters to make sure that the provisions were consistent. Some elements were changed because they already existed in the current code thanks to Ms. Smith's bill. Extraterritoriality is not included in my bill.

As for definitions, the work was done well. We were very careful not to create any overlaps and to ensure that there were no inconsistencies between the definition proposed by Ms. Smith and the new definition. The new definition simply improves on the old one. However, there is one thing to point out. There is one element that is in the English definition but not in the French one. We changed that. So you have to be very careful. I have no problems with amendments that ensure consistency, but you have to be careful; I am being very frank with you. I was very careful to ensure there were no overlaps. The legislative drafter looked at all of that. However, we are all human. We can all make mistakes or forget something. If you see any overlaps and you want to change them, I have no problem with that at all.

I think the main point is to not weaken the bill. Its strength lies in the consecutive sentences, presumption, the international versus national aspect and the special provision on sexual exploitation. I believe that if we keep the substance, the heart and the foundations of the bill, we will have a bill that is very strong. However, if we get rid of all the rest, I believe the bill will be less effective.

[*English*]

Mr. David Wilks: Thank you.

The Chair: Thank you very much.

Thank you, Madam Mourani. You did a very good job with lots of passion defending your bill today. Thank you very much.

[*Translation*]

Mrs. Maria Mourani: Thank you.

[English]

The Chair: We're going to recess for about three minutes while we change panels. We'll be dealing with witnesses today and for the full meeting on Wednesday of this week, and then for the first hour on Monday. We'll do clause-by-clause consideration in the second hour next Monday.

Thank you very much.

[Translation]

Mrs. Maria Mourani: Thank you very much to everyone for having listened to me and thank you for agreeing to have this bill reviewed in committee. I hope to see the bill again in the House of Commons fairly soon.

Thank you very much.

[English]

The Chair: Okay.

Mr. Bélanger.

Hon. Mauril Bélanger: If anyone wishes to propose amendments, they have up until when to do that?

The Chair: We will be accepting amendments up to.... Well, you can do it on the fly, but it would be nice to have them in by the end of the meeting on Wednesday. Friday is fine, but.... So after you see the witnesses—

• (1630)

Hon. Mauril Bélanger: I'm not going to be the one presenting them, so I need to advise my colleagues.

The Chair: By the end of this week would be ideal.

Hon. Mauril Bélanger: You mean by Friday at 2:30 p.m.?

The Chair: That's correct.

Hon. Mauril Bélanger: Thank you.

The Chair: We'll take a two-minute recess.

• (1630)

_____ (Pause) _____

• (1630)

The Chair: I'd like to call this meeting back to order, our second half of today's orders of the day.

We have with us from the City of Montreal Police Service, Dominic Monchamp, and from the Winnipeg Police Service, we have Inspector Gordon Perrier.

Gentlemen, each of you will have an opportunity to give an opening statement of no more than 10 minutes each. After that, as you've seen before, we will have rounds of questions from the different parties.

Who would like to go first?

Dominic, would you like to go first?

Gordon, you'll go first?

The floor is yours, sir.

Inspector Gordon Perrier (Inspector, Criminal Investigation Bureau, Division #43 (Major Crime Division), Winnipeg Police Service): Good afternoon. I'm honoured to be here today

representing the Winnipeg Police Service, and I'm very pleased to speak with you on such an important issue.

Not unlike other urban centres in Canada, Winnipeg struggles with crimes of exploitation, procuring, luring, prostitution, and related criminal behaviour. Exploitation is not limited to cities or any one segment of our population. It's truly a community issue for all Canadians. Many of these crimes have their genesis in, or a connection to, human trafficking. I applaud the government for bringing into law specific sections of the Criminal Code to address these terrible events and give police real ability and methods to improve the lives of victims and stabilize those at risk. Legislation like this brings meaningful change to our communities and helps create a culture of safety.

The specific amendments in Bill C-452 including presumption of evidence for exploited persons, specific reference to a domestic context when speaking about trafficking, forfeiture provisions, and consecutive sentences are tangible items that both police and prosecutors have needed. Combatting exploitation requires a broad range of commitments on many fronts, and all the practices police and our partners employ come together when the laws are comprehensive.

Not unlike a puzzle, when pieces are put together you find strength and you can see the entire picture. To that end, I want to share with you some of our strategies and programs and methods as they relate directly to the current legislation and the amendments contained within Bill C-452.

The initiatives, strategies, and work practices of the Winnipeg Police Service have developed over a considerable time, always with a view to maximizing our resources, skill, knowledge, and abilities to address victim, community, or offender processes. For example, since 1990, officers of our sex crime unit have been part of a board that includes medical staff, a community outreach program called Klinik, victim service workers, and the RCMP. The goal of this group is to ensure that the practices and processes that are in place for sexual assault examination, interviews, and evidence gathering serve the interests of justice and the wellness, care, and dignity of victims.

Many victims these teams deal with are from exploited populations and we open doors for programming and longer-term care, and help make life changes.

Inside our service, we conduct yearly in-depth training on exploitation, sexual assault victim protocols, cycles of violence, and how to offer assistance. This training is mandatory for recruits and forms part of specialist training for all detectives.

In 2012 the child abuse unit partnered and helped found the Winnipeg Children's Advocacy Centre. This corporation is a child victims' centre governed by a board that includes police, justice, health, social service agencies, and victim services. The mission of this stand-alone centre is to facilitate multi-system collaboration and foster best practices in child exploitation investigations. Also, the centre ensures that victims receive sensitive and immediate support in a setting that puts their needs first. This set-up reduces system-induced stress faced by children who are victims of sexual or serious physical abuse.

The Winnipeg Police Service is also an active participant and contributor to the violent crime linkage system. More than two years ago, we changed our workflow internally and have a nearly 100% compliance rating for submissions and analysis. This has benefited local investigations and identified leads on cases that had run cold. These new leads have increased tenfold because of our changes in workflow and communication.

Since 2005, our integrated high-risk offender unit has been operating in partnership with the RCMP corrections and community groups. This unit aggressively monitors offenders for conditional order breaches and conducts surveillance operations on persons designated as a high risk to reoffend. They also facilitate Criminal Code section 810 order applications and public information notices.

Our missing persons unit was restructured in 2009. Currently, the unit manages approximately 6,600 missing person cases a year, many of which are chronic runaway children who need our help. We have developed a high-risk victim protocol strategy that aims to prevent the exploitation of youth and bring about stabilization in their lives. We do this by pairing a police officer and social worker together, shoulder to shoulder, to plan, manage, evaluate risk, and help each child as an individual. This program works. It brings a stable lifestyle to many and provides a real mechanism for police to identify those who prey on children in our malls, parks, and streets.

Finding missing kids is only the first part. We now probe further in these cases, and if we can bring charges of luring and of abduction of a child under 14 within the parameters of harbouring or concealing their whereabouts, we do so. Our vice unit is also involved in a number of tactics that focus on exploitation, prevention, and communication.

Deter and identify sex-trade consumer reports, or DISC reports, have formed part of our records management system since 2002. These reports often begin with front-line police officers conducting traffic stops. The information is automatically forwarded to the vice unit for analysis, and information such as behaviour, risk to the community, suspicious practices, or comments are noted and compared with ongoing cases.

- (1635)

Where children are potentially at risk, this information is shared with children's services, which have the ability under the provincial legislation to take proactive steps against the potential or actual offenders. The vice unit monitors known sex-trade websites and Internet advertisements daily. Undercover operations are conducted based on this information or these ads, and particular attention is given to exploitation, human trafficking, and child prostitution-styled ads. This has occurred for approximately five years.

The vice unit has regularly developed relationships with the Salvation Army; New Directions for Children, Youth, Adults & Families; Rossbrook House; Sage House; and the Native Women's Transition Centre Inc. These relationships have identified people who prey on the vulnerable for the purpose of forced entry into the sex trade. Vice investigations, human trafficking, cycles of exploitation and drug dependency, and techniques for helping sex trade workers are taught at recruit training and senior investigator levels.

In 2011, the Winnipeg Police Service assisted in the redevelopment of the curriculum for the province's core competency training course for understanding and working with sexually exploited youth. This exploitation training program is the only formal program in North America and is attended by social service workers, police, foster parents, health professionals, teachers, and corrections officers.

We also conduct programs to help both victims and offenders. Our prostitution offender program for johns began in 2002, and continues today. Approximately 50 to 70 offenders participate in this program each year. Conversely, our prostitution diversion program for sex-trade workers began in 2003, and also continues. Approximately 35 to 50 women complete multi-day, overnight programming each year. Police officers participate in all aspects of the program with social service workers, justice partners, and community specialists. Relationship building, trust, education, and change are our focus.

Our public campaign that is focused on exploitation, a sex trade reality check, has used public ads to raise awareness and to date has distributed more than 9,000 posters.

Another quarterly event is Project Return. This protocol includes social workers, both government and non-government, working with police during undercover police operations to assist with juvenile prostitution, treatment plans, and placement in safe, nurturing environments.

We have sponsored human trafficking training events in Winnipeg for police, crowns, and our partners to raise awareness and action. The Winnipeg Police Service has partnered on this subject with the University of Winnipeg and the University of Saskatchewan, by assisting doctoral students studying the dynamics of human trafficking and exploitation.

All of our practices have been looked at holistically in great detail over the last two years, and we recently realigned our missing persons unit and vice units within one division. All the units I spoke about previously are now contained in that division. This new division I speak of has been renamed the Specialized Investigations Division. This speaks to our commitment to victim-centred services, along with robust investigations that will bring those responsible for exploitation to account under the law.

In fact, Winnipeg police investigators just last year had a case where the specific human trafficking charges fell apart due to a number of factors, most of which were out of our control. Thankfully, investigators were able to regroup, continue the investigation on this gang associate, and bring about charges that resulted in a conviction and appropriate penitentiary term. This case had a procuring element, and it would have been both prudent and advantageous to continue the investigation from a forfeiture perspective.

Bill C-452 will provide opportunities and further accountability for those who offend. I can say with confidence that police are well versed in forfeiture investigation and presumption of evidence processes due to similar parallels and experiences in proceeds of crime law. The amendments in Bill C-452 will enhance our ability to remove the profit from exploitation crime. I know from my own experience as an organized crime investigator, that forfeiture and consecutive sentences work. Deterrence and breaking the cycle of profitability can change behaviour and prevent others from entering that offending cycle of behaviour, greed, and disrespect for others.

I do not have any direct recommendations today, but I do wish to express my hope that the resolve of legislators will not wane when it comes to human trafficking, exploitation, and improving the lives of all people within our borders.

Ladies and gentlemen, thank you very much.

• (1640)

The Chair: Thank you, Inspector.

Do you wish to comment, have a 10-minute opening, or just answer questions?

Detective Sergeant Dominic Monchamp (Detective Sergeant, Multidisciplinary Investigations and Youth Coordination Unit for the West Region, Vice Section, City of Montreal Police Service (SPVM)): I'm going to make a short opening statement.

The Chair: Okay. The floor is yours, sir.

[*Translation*]

Det Sgt Dominic Monchamp: Good afternoon. I would like to thank you for having invited me here today.

I have been working as a police officer at the Service de police de la Ville de Montréal, or SPVM, for 19 years, and have spent almost 15 of those years on sexual exploitation investigations. Today I have decided to speak to you about what is happening on the ground, to give you an overview of how human trafficking works and what tools Bill C-452 could provide to us.

What we have to understand is that victims of human trafficking do not come to the police. What is of note in this type of situation is that we have to conduct proactive investigations to find victims of

human trafficking. That has to be our main concern. The section on human trafficking and Bill C-452 do not limit these victims' freedoms. Quite the opposite; they give police the tools they need to be proactive and save these victims. These people are victims of serious crimes that often are similar to torture.

It's very clear that people who have been raped, held captive, abducted and burned are afraid for their safety and for their lives. The victims are unanimous: when they finally agree to come to see us, they are terrified of dying. What they are most concerned about is not whether the individual who did this to them will be arrested; they want to be assured they will be protected if they speak out. The first reflex people have when they have lived through such atrocities for so long is not to go to the police. Instead, it is to try to get away, to try anything, but not to speak out.

This explains why, in 80% of the cases we handle, we go and meet the victims, but they refuse to speak to us or to provide a statement. The statement never happens because they are terrorized, or, from another perspective, because they don't consider themselves to be victims, based on the cycle. It is a long cycle, it was mentioned earlier that victims are manipulated, desensitized and seduced until they meet with the more violent aspects of human trafficking.

It is extremely interesting to note that the bill provides for presumption. I want to assure you that presumption does exist in investigation on the procuring of persons. It is already there but it does not give carte blanche to the police. It does not free us from having to produce proof beyond a reasonable doubt.

Here is an example of what presumption would allow us to do on the ground. Let's say that a trafficker controls six girls at the same time but that one of them manages to escape and does in fact agree to file a complaint. The other five will be terrorized, or not consider themselves to be victims, and will not want to do so. However, if there is presumption, we can use it and the testimony from the first victim as well as other investigation techniques to press charges regarding the other five victims. This is the kind of tool presumption would give us.

In other cases, we know that a trafficker controls a young woman. I could tell you about this kind of case all afternoon. If the young woman refuses to work, she will be locked up in the trunk of a car for an entire day or be made to kneel on an open rice bag in a living room somewhere all afternoon. We have the information; we know the woman works as a prostitute every day to bring in money, but we cannot build a case if she does not speak to us. However, with presumption and various investigation techniques, we would be able to press charges.

Human trafficking is a crime perpetrated over a long period, day after day, and it is often associated with other serious crimes such as kidnapping, forcible confinement, sexual assault, assault and death threats.

•(1645)

When human trafficking charges are laid, the charges that I have just described apply to 80% of the cases. Without making light of the seriousness of any crime of any type, we are not talking about a bank holdup. We are talking about predators who plan the exploitation of individuals, treat them as merchandise day after day, and take every possible step to make as much profit as they can, using these people.

Indeed, consecutive sentences for such serious crimes that have gone on for so long are clearly a deterrent. If you will recall the first part of my statement, when I mentioned that 80% of the victims will never come to see us, and when you think of the five- or six-year sentences that are given, and the fact that the victims want to be protected, you will understand that this will be extremely useful. I should also tell you that nearly all of the victims who finally agree to talk to us want to withdraw their testimony at some point in the process. Once again, it is for the same reasons; it is because they are afraid, scared, etc.

In one of the most recent cases where an individual was found guilty of human trafficking, the victim had to go back to court 15 times to be cross-examined by the defence in a way that defies description.

I apologize, I am somewhat emotional, but that is what I wanted to tell you. As for the rest, I would be happy to answer your questions.

•(1650)

The Chair: Thank you, detective sergeant.

[English]

Our first questioner from the New Democratic Party is Madame Boivin.

[Translation]

Ms. Françoise Boivin: Thank you, Mr. Chair.

I would like to thank both of you for coming here.

It is always moving but also more practical for me to hear from those people who work on these files daily.

An incident occurred in my region not so long ago. On April 24, the *Le Droit* newspaper ran an article about a young 17-year-old girl who had been tricked into prostitution. We talk a great deal about procuring now, about human trafficking, prostitution, etc., but the people involved are getting younger and younger. In this case, the article was about the trial of three young teenage girls charged with procuring. Unbelievable!

When we talk about crime networks now, we do not just talk about adults and organized crime, but street gangs too. And we are no longer just looking at the stereotypical white male of such and such an age. We are talking about young people who, through a social network, attracted this young 17-year-old girl and subjected her to what Mr. Monchamp was talking about. She was so afraid.

Some people could say that she should have got a grip, gone to see her parents and that would have been the end of the story. They put her in compromising situations, took photos and played on her fear. I have no doubt that this matter will wind its way through the normal

course of justice. It would be more practical to provide you with tools.

However, with respect to presumption, I am not sure that that will apply in the case of trafficking minors. I am wondering whether we are setting something aside with respect to this presumption, but perhaps you are not in the best position to answer these questions. We will be hearing from some legal experts and they may be able to answer these questions.

You work in the field and this is part of your daily life. I asked Ms. Mourani this question. Sometimes, I have a bit of difficulty when I read the bill and sections 212 and 279 of the Criminal Code. This deals with procuring and human trafficking in this country. My problem may stem from the fact that I am not an expert in criminal law. I have worked in the labour law sector all my life, but it seems to me that there are many similarities. I am wondering whether we should be merging all of this. Perhaps you can guide me with respect to these questions.

Det Sgt Dominic Monchamp: There is a difference. Human trafficking has provided new tools. The main distinction, with respect to procuring, is that we must provide absolute proof for prostitution, but not in the case of human trafficking. With respect to human trafficking, we need to prove exploitation. The important aspect in human trafficking is the exploitation of an individual. With respect to procuring, there is a type of exploitation, but we need to prove that prostitution has occurred. So this removes the burden of proof to a certain extent. We have to be able to prove that the person has been exploited, regardless of the type of work or service provided. That is the first distinction.

The second thing is that there is a distinction made in the level of seriousness. With respect to procuring, there does not have to be evidence of threats or coercion. The individual who lives from the proceeds of prostitution may be charged. With respect to human trafficking, there is a graduated scale, there is coercion, threats, and safety issues for the victim, making it possible to separate two types of individuals. One does not prevent the other and the two clauses are complementary. The benefits provided by the two of them together can be used.

Ms. Françoise Boivin: But if there was a case of prostitution, that could be interpreted as a form of exploitation, as a form of trafficking with certain threats. Consequently, someone could be charged with two offences at the same time, correct?

Det Sgt Dominic Monchamp: These people would be charged with two offences.

•(1655)

Ms. Françoise Boivin: I see.

Det Sgt Dominic Monchamp: Currently they are charged with two offences. In the case of trafficking, the advantage is that we do not have to prove prostitution or knowledge of prostitution. You have to understand that traffickers adapt. They will use middle people to train the girls, break them, in order to avoid this burden associated with procuring. They simply say that they were not aware of the service that had been provided, and as a result we cannot lay any procuring charges.

In the case of trafficking, however, when the trafficker has been directly involved in the activity of forcing the individual and of receiving money, we no longer have to deal with this burden. That is the distinction that I can make.

I would now like to respond to your question about presumption in the case of minors. Procuring applies to both minors and individuals who have attained the age of majority. No distinction is drawn, insofar as an individual who is regularly with a prostitute is deemed to be living off the proceeds of the prostitution.

However, presumption is not tantamount to evidence. That is what we need to understand. This is not something that enables us to close the investigation. Our investigation does not become less complicated. That does not mean that we can decide to work less hard.

Ms. Françoise Boivin: It reverses the burden of proof. In other words, in the case of presumption, it is up to the accused to establish the evidence. In theory, some people could tell you that this goes against the presumption of innocence, but let us agree that this may be justified in a free and democratic society.

Det Sgt Dominic Monchamp: Yes, but we should not have to meet the burden of reasonable doubt, which sets the bar extremely high.

Ms. Françoise Boivin: Excellent, thank you.

The Chair: Thank you, detective sergeant.

[English]

Our next questioner is from the Conservative Party, Monsieur Goguen.

[Translation]

Mr. Robert Goguen: Thank you, Mr. Chair.

My question is for both witnesses.

I would like to go back to the issue of presumption and use the example that you gave, Detective Sergeant Monchamp. Let's say that there is a group of six girls, and one escapes and wants to testify. We are presuming that the five others are subject to the same reign of terror. It is always difficult getting others to testify either to incriminate or clear the individual at issue. Would the fact that the others do not make a statement shore up presumption? Is this how such a measure will help you? I fully understand that you have to establish evidence aside from this presumption, because this could be circumstantial. However, would the absence of testimony from the five others, who could affirm that this was true or maintain that it was false, or simply refuse to testify, help you in establishing the evidence for your case?

Det Sgt Dominic Monchamp: Yes, absolutely, it helps us. That is what determines whether we can lay charges or not. For example, if the first victim testifies in her own case that she was kidnapped and that the five other victims were also in the same situation, then she can explain the context and the circumstances. We will not only use those statements but will also use other evidence such as physical surveillance and wiretapping. There are many investigative techniques that will allow us to lay charges even if the victims refuse to testify or do not want to testify. That is what presumption gives us.

I would like to add one thing that I forgot to speak about earlier and that I would like you to consider. We're talking about

consecutive sentences. This is interesting in a case involving several victims. Currently, if an individual is convicted for that offence, regardless of whether there were one, three, four or six victims, the sentence is the same: the individual will be given a five-year sentence. Are we not giving an advantage to the offender, and does it not encourage them to create more victims, for example five or six, given that there won't be a harsher sentence?

Mr. Robert Goguen: The five individuals under that reign of terror could be convinced by the bad people to testify in their favour. Are they more afraid of them or of testifying in court? What is being done to support them, to create a support network that will help them get out from under that terror? Even if they don't testify, that's better than testifying in favour of the accused. How do you create that safety network?

[English]

Insp Gordon Perrier: That's a very good question. This is what we talk about when we talk about building trust.

It has to start somewhere, and I'll give you an example. In Winnipeg, we had a very similar case to the one that the sergeant just outlined. We ended up proceeding by arresting those individuals for drug trafficking because they were so reluctant to step forward and give us statements on that. When they saw that there was action on the drug trafficking and that they were under arrest, that built trust and they started to talk about the other techniques and that they were being farmed out to British Columbia.

Then we went into an extensive investigation where we were able to find that they were running a very complicated fraudulent cheque scam involving these girls—involving them in other crime. Then once they got the airline tickets from the fraud crime they were doing, they were being shipped out to British Columbia for the purposes of the sex trade.

It's about building trust. It's about being credible with victims and recognizing that each victim is an individual. They want to be recognized and they want to be accounted for within the justice system.

Mr. Robert Goguen: It's pretty obvious that in this day and age a lot of the illegal activity takes place on the Internet. You've talked about the web, etc. In the past this government tried to put in Bill C-30, which gave some important tools. That has been pulled back. There were some concerns.

Are there certain tools that would be useful to you in countering this type of illegal activity in the way of Internet surveillance, etc.?

That is something that can't be answered in the time that's left, but I'll throw it out for thought.

● (1700)

Insp Gordon Perrier: I've been fairly vocal on the revamping of some other bills, and I know we are going into other areas there. When we get into the topic of wiretapping and modernizing, there is a crossover there when it comes to technology and how people misuse the Internet, hide behind Internet servers, hide on the Internet through other things such as Facebook or Craigslist, and we are not modern in that area.

While police have been able to make it work through some other systems and ways, we're really not keeping pace with technology, and that is certainly problematic, sir.

Mr. Robert Goguen: Thank you.

The Chair: Thank you for those answers.

From the Liberal Party, Monsieur Bélanger, please.

Hon. Mauril Bélanger: Mr. Perrier, you mentioned a number. I just want to see if I heard it right. You said 666. Did you actually use that number?

Insp Gordon Perrier: I used 6,600, but the actual number was 6,647 reports.

Hon. Mauril Bélanger: Okay, 666 has other connotations. When I heard it I was wondering. Thank you for clearing that up.

You also said that one of the initiatives you undertook led to a tenfold increase in leads. What did that lead to?

Insp Gordon Perrier: A number of suspects were identified and people were arrested for sex-based crime who would have escaped justice and those things wouldn't have occurred.

We have lots of systems in place, and in these last two years, as I mentioned, we have taken a really hard look at how we do business around this. We've been very segmented, I'll admit. My service is no different from others. We are very segmented in our approach around different types of crime. We'll say this is the drug unit and it is only responsible for drug crime. That is the vice unit and it is only responsible for vice crime. That's why, when I talked about this realignment, it seems like a small thing but it's very important because it's bringing experts from different fields together where they can realize the types of overlaps they have in their business. Then you get a business model that's more effective and you can serve your citizens better.

Those types of things, which I am talking about, are tremendously important.

Hon. Mauril Bélanger: Do you include in these programs drug rehabilitation? That's something I have been involved with locally here, and it was a desperately needed program. We didn't have it. Now we are starting to offer it in the nation's capital and I believe it's starting to have an impact. Is it something that is included in your—

Insp Gordon Perrier: In particular for victims of exploitation or in our prostitution offender program we actually have ways to fast-track them into the system to get them assistance.

Hon. Mauril Bélanger: Is that the court drug rehabilitation program?

Insp Gordon Perrier: No, these are through private agencies. They've been sponsored by non-government agencies. That relationship needs constant investment by police because it's very powerful and they have a lot of abilities that police and government systems don't. So we're really engaging with that community and taking advantage of those things to help people and use services that we normally wouldn't be using.

[Translation]

Hon. Mauril Bélanger: Detective Sergeant Monchamp, I would like to pick up on a question that was put by Mr. Goguen.

He referred to a situation where presumption was used in order to accuse an individual of acting as a pimp with five other victims. Therefore, based on one victim's testimony, the individual can be charged for doing this with five other victims.

Mr. Goguen appeared to be expressing a concern that if that is the case, not only could the accused possibly intimidate other victims to convince them not to testify, but he could also convince them to testify in his favour and deny the charges against him, using whatever means possible.

You spoke about how victims can be terrorized. Families, people in their circles, and others could be also terrorized.

Is this a concern at all? Could that be one of the consequences of using presumption?

Det Sgt Dominic Monchamp: I don't think that could be a direct effect of presumption. In my opinion, that is a direct outcome of the kind of control these individuals have over their victims. We already see it on a daily basis in these cases. These kinds of incidents or situations occur on a regular basis.

Hon. Mauril Bélanger: I am going to put the question differently.

What measures are currently being used to prevent that?

Det Sgt Dominic Monchamp: These are extremely complex investigations that are not only based on victims' testimony. That forms the basis. What is most important is the testimony of these victims.

However, it's important to understand that these victims are dealing with serious post-traumatic shock, fear and doubt. These victims can be suffering from Stockholm syndrome or dissociation. It is important therefore to work with community groups and with a variety of people who will be supporting them.

• (1705)

Hon. Mauril Bélanger: They have to be supported in every possible way.

Det Sgt Dominic Monchamp: Exactly. That is part of the approach.

Given the circumstances, these are investigations for the purposes of corroboration. We never just simply compare the victim's word to theirs. It's never their word against ours. Our work consists in supporting that testimony by going into the field to meticulously corroborate everything in their statement. That way, if the victim goes back on their testimony, the judge will be in a position to appreciate all the evidence accumulated during the first testimony, which might have been changed later in the court, and then come to a decision based on those facts.

Hon. Mauril Bélanger: Therefore you feel that presumption is a positive thing. Is that correct?

Det Sgt Dominic Monchamp: Yes. We have seen how it works and in any case this is something that has been proven over several years in the case of procuring.

[English]

Hon. Mauril Bélanger: Thank you both.

[Translation]

Your presence here is appreciated.

[English]

The Chair: Thank you, sir, for those answers.

Next, from the Conservative Party, we have Mr. Seeback.

Mr. Kyle Seeback (Brampton West, CPC): Thank you, Mr. Chair.

I want to talk a little about the aspect of the bill that talks about consecutive sentencing.

I know, Dominic, you mentioned that if a person traffics or exploits five people, they may only end up serving five years because they'll be made to serve all those counts concurrently, which is what happens with a lot of sentences in our Criminal Code.

Based on your experience, if a person commits these offences against five or six women, do you think that a judge will now, because we make these changes, instead of imposing five years, make those sentences consecutive, making it 25 years, or will they say the existing case law is five years, so they're going to say everybody gets one year?

From my experience, judges have difficulty getting out of well-established sentencing ranges.

[Translation]

Det Sgt Dominic Monchamp: I hope not.

That is inconceivable for me. I can't see how a one-year sentence could be used to avoid that situation. I would be extremely disappointed if that were the case. Regardless, I cannot comment on that aspect.

However, it certainly will act as a deterrent. Currently, in the case of street gangs, the risk of getting caught for human trafficking compared to drug trafficking is very small. If an individual is arrested for possession of one kilo of cocaine, simply possessing that is illegal. However possessing an individual is not currently illegal. These people are able to manipulate and threaten their victims. They always have a way out.

I think that this message will restore the balance. Handing down consecutive sentences will restore the balance. These individuals are going to have to think before they act. They will no longer see this type of crime as being worthwhile. That is how they currently see it.

[English]

Insp Gordon Perrier: To be honest about this type of crime, it's very difficult to prove in the first place.

With drug trafficking you can define a network. You may have an individual who's caught with a kilogram of cocaine and you can say they're distributing and you get a 15-year sentence. That's not uncommon when you start dealing with and folding in organized crime, and organizations that participate in crime in an organized fashion.

Building cases when you have multiple victims is still very difficult. Even with presumption, it's still going to be very difficult. You're recognizing these people as individuals and you're recogniz-

ing that the crimes that were perpetrated against them, as a victim, matter.

Mr. Kyle Seeback: I agree.

I'd rather see it be 25 years than five, I want to make that very clear.

I thought you might know from your experience with sentencing and other areas whether or not making this consecutive is going to be the answer to making this far more serious. Or, if perhaps another tool that we've used a number of times with legislation, which is a mandatory minimum penalty, is the answer.

Insp Gordon Perrier: In my experience with organized crime files, very often the judges and justices come out with a very long explanation as to how the sentence is computed. At the end of the day, I believe they come out with just sentences, taking into account all the facts. I think this still allows them that latitude, and still speaks to those who are being victimized.

● (1710)

[Translation]

Det Sgt Dominic Monchamp: I won't give you a personal answer but I can speak to our experience in terms of minimum sentences. Even when minimum sentences are imposed, it is always possible to avoid them. If it doesn't happen through a judge, it can happen through negotiation or by reducing charges.

In other words, it is possible. Regardless of the solution we end up with, it will be interesting to see how you are going to avoid that kind of situation.

[English]

The Chair: You have a minute.

Mr. Kyle Seeback: Great.

In respect of drug offences, police officers have come to this committee and said that it's sort of the usual suspects. It's the same people that they come across over and over again, with respect to these crimes. Do you find it's the same with these offences?

Insp Gordon Perrier: Certainly, there are some people who are predominant, who are on your radar screen.

In Winnipeg, we have a very large migrant population. We have a lot of people coming through the city. We have a lot of people immigrating to Winnipeg right now. That's very dynamic. There's lots we don't know. We hear of things peripherally, especially from new Canadians, about exploitation, forced marriage, sex services for money, and participation in other crimes. There's a lot we don't know about that. There are certainly people we know a lot about. We know a lot about them, because a lot of times we've been investigating them for organized crime.

Previously, human trafficking, to be honest, wasn't the largest priority in the police department, but it certainly is now. We realize that it needs to be upfront and that it really is the core of what we are. We're talking about people and their entire lives. You can get over an addiction, but you probably do not get over being raped.

The Chair: Thank you very much.

Thank you for the questions. Thank you for the answers.

Our next questioner is Madame Morin from the New Democratic Party.

[*Translation*]

Ms. Isabelle Morin (Notre-Dame-de-Grâce—Lachine, NDP): Thank you very much, Mr. Chair.

I didn't have an opportunity to ask a question on the first round so I would like to begin by saying that I think this is a very interesting bill. It's important to talk about it because so few people in Canada really know what human trafficking is. We need to talk about it because it's happening here. I have always thought it's a bit unfortunate that we only talk about the sexual exploitation aspect because human trafficking is a much larger issue.

I do a lot of work with the organization called PINAY, in Montreal, which works towards the prevention of trafficking in caregivers. I think we often forget to talk about that aspect of human trafficking.

Mr. Monchamp, because your area of expertise is mainly sexual exploitation, that is what I will focus my questions on.

Two or three weeks ago, I went to the CATHII conference and I listened to your lecture. There is an image that stayed with me. I am therefore going to repeat what you said, and that is that in Montreal, you can order a woman like you can order pizza. You can choose their weight, their measurements, their age, the colour of their hair and the colour of their eyes. I was very struck by that. What is so unfortunate is that you are right.

Having read the bill, I have a better understanding of the kinds of tools it will give you, such as reverse onus and consecutive sentences. I do wonder though how that will prevent human trafficking. Of course it will deter some individuals. However, as you said, there are so few women who are willing to testify. Furthermore, even those who do testify often withdraw their testimony.

Given that we are talking about this, I would like to take the opportunity to ask you some more questions.

Are there other tools that we could have given you to better help you find victims and have them testify? My question is also for you, Mr. Perrier.

Are there any other amendments that could be made to this bill in order to help you in your investigations?

Det Sgt Dominic Monchamp: First of all, I would like to emphasize that this bill is useful because, as I said, the main concern of victims is their safety. As a matter of fact, in the vast majority of cases, when the victims testify 5, 6 or 15 times in court and it all ends with a 5-year prison sentence—which is a stiff sentence, by the way, for human trafficking—if you ask them if they would do it again, they say they would not. They would not do it all over again. That shows that there needs to be courtroom support. The first form of support for victims has to be before the courts.

Beyond that, and I don't know whether this can be dealt with through legislation, but in order to support the victims, there needs to be awareness-raising. We have been quite successful with that. My colleague talked about what they have done. These initiatives enable us to reach out to victims by raising awareness among our police

officers, other workers and the general public. There is a desperate need for a national plan similar to what we have seen in Quebec around the issue of domestic violence, for example.

Fifty years ago, when there was domestic violence, the police did not get involved. It was not considered a crime, it was seen as a private dispute and we did not get involved in private disputes. Today, if a woman is assaulted on the street, 25 people are going to call 911 because they find that unacceptable. This evolution did not happen all by itself. It occurred as a result of campaigns to educate police officers and, above all, the general public.

The same thing goes for drunk driving. It used to be that when you were out drinking and driving, you could say cheers to other drunk drivers and it was perfectly acceptable. Nowadays, I dare anyone to try that, because people would call 911 or make a citizen's arrest.

So we need to educate people on human trafficking. It is not right that this is still going on in Montreal.

We have to look to the education of our children. That is what will enable us to connect with the victims. That will make them understand that we are there to help them, not to arrest them. As it is, they think they are committing a crime.

• (1715)

[*English*]

Insp Gordon Perrier: I'll comment on the other items that Dominic didn't comment on. I want to talk about domestic servitude and forced labour.

It's interesting that when we hold these public campaigns and we talk to people, they step forward and they say, "I know someone who was victim of this". There is always somebody who comes up, or it's two, three, or four people at a time, and they bring up the domestic servitude situations. They're just unaware. They think they're just trapped and that this is a civil arrangement and that it's okay. It's like opening those floodgates, and the parallels to domestic violence are very clear when we talk about that. I'm quite sure that issue will come forward and will be something we'll have to deal with on a regular basis.

When we talk about forced labour, I was personally involved in a case involving 10 Chinese nationals who were smuggled into Canada for the purpose of growing marijuana. They were stuck on a farm in Manitoba, and they were forced to grow, harvest, package... We seized over six tonnes of marijuana and we know that they were operating there for more than two years. That's forced labour. That's slavery.

Initially, when we looked at that investigation, it didn't even cross our radar screen because it was so many years ago. But now when we talk about that incident, we would have probably changed the whole focus of that investigation from a marijuana trafficking investigation to a slavery investigation. So it shows you where we end up when we start talking about these things and having these difficult conversations.

The Chair: Thank you, Inspector.

From the Conservative Party we have Mr. Calkins.

Mr. Blaine Calkins (Wetaskiwin, CPC): Thank you, Chair.

Thank you, Gordon and Dominic, for coming here today and testifying, and bringing your experience and your thoughts and your wisdom to this.

The first question I have stems from issues that arise in my constituency. I represent the four bands at Hobbema. They do make the news sometimes for all the wrong reasons, with some of the gang issues they have there and some unsolved murders. A lot of that issue is surrounded by the fact that everybody there knows who did it, but nobody will come forward to testify for fear of retribution or intimidation and because of the way the court system currently works.

We've made some changes when it comes to reverse onus on bail and so on, but I guess I'm asking you specifically. When you know something has happened but no one is going to testify, can you give us some concrete examples and maybe some recommendations of how we can even further strengthen either the legislation that's before us or other legislation or other parts of the Criminal Code so that we can get rid of this intimidation and this fear of retribution or at least minimize the impact that it has, so that people will come forward and tell these stories?

Insp Gordon Perrier: Well, that's a big question, so there's lots there.

I think a lot of what we talked about already around awareness speaks to some portions of that. But I want to share one story that really cements what you're talking about in a lot of ways.

In Winnipeg we have a very large and vibrant first nation community. There was a young girl whom I dealt with when I was in charge of our vice unit who came to Winnipeg to escape some of the things that you're talking about—violence in her family, alcoholism. She came to Winnipeg and came to a transition centre. She never before had been in the city, had always lived in a reserve setting, had never even vacationed in the city. She was an adult, but she was very naive.

Another woman, who had also been victimized and forced into prostitution, recruited her directly from that centre, and said, "Look, I too am native. I'm your friend. Come join us. Be part of our family". She bought her things like shoes—not extravagant things, but clothes, the necessities, food. Before you know it, she's out and she's in a car and this girl is with her saying, "This doesn't come free. You're going to go out here and you're going to turn tricks and you're going to perform for men for money." The girl chose to go back to the reserve setting because it was better than the indignity of turning tricks.

So awareness, real change around support for those basics, is so very important. That's what it gets back to: food, shelter, and safety.

• (1720)

[Translation]

Det Sgt Dominic Monchamp: I would like to raise another point.

This is a situation that we do in fact run up against. There are a lot of cases that involve intimidation, even at trial. This is happening at trials to this day. There is intimidation of witnesses, threats and attempts to bribe witnesses. This type of crime should be harshly

punished. That is not happening right now. That is the first point I wanted to make.

The second point is that the justice system is in no way focused on the victim. Unfortunately or fortunately, this is not the place where decisions about the administration of justice are made; they are made at the provincial level. There is a whole array of improvements that need to be made, including court delays. When a case drags on for three years, that is just impossibly difficult. It is inhumane to keep that sword of Damocles dangling over the victim's head.

There is also the fact that testimony is interrupted, in other words, it does not happen all in one go. This happens a lot, because of backlogs in the courts. A victim may testify for two days and have to come back three months later to testify for two more days, and then two weeks later, and so on. It is inhumane, especially since there has already been a preliminary inquiry. Everyone knows how it works, including the victims, and they do not really want to go through all that.

We have to make our justice system focus more on victims. It is not doing that right now, but that is crucial.

[English]

The Chair: Thank you very much.

Our final questioner for today is from the New Democratic Party, Mr. Mai.

[Translation]

Mr. Hoang Mai: Thank you very much, gentlemen, for your evidence.

As Ms. Boivin said, it gives us a much better idea of how things work out there in the real world.

Mr. Monchamp, it gave me a better understanding of how things work in terms of justice, but moreover, it made me aware of the tools you need. I am not sure if this is the right place to ask this question, but I am really glad you are here.

In my riding of Brossard—La Prairie, there is a shopping centre called Quartier DIX30, which is the subject of increasing discussion. In connection with that, a crown prosecutor told us that police officers from a number of communities used to be able to get together to set up long-term files on street gangs, but that cuts had been made to a federal program.

Have you heard of those cuts? Have you observed any impact, for example, when it comes to federal programs? I would like to have a better understanding of what is actually happening out there in the field.

Det Sgt Dominic Monchamp: As far as I understand it, the joint regional street gangs squad is currently dismantled. That, as far as I know, is a provincial program.

• (1725)

Mr. Hoang Mai: Can you briefly explain to us what the program is all about?

Det Sgt Dominic Monchamp: I do not know much about that program, but as far as I know, it is an investigative group made up of police forces from various regions. In your case, it would involve the Montreal, Longueuil and neighbouring police forces. The officers involved were investigating members of street gangs. This is an extremely effective approach, because it brings together the knowledge and expertise of each police force.

I should point out that these individuals know no boundaries. Only police forces set boundaries; street gangs have none. The beauty of these teams is that they are interjurisdictional, they can follow these criminals over a larger territory.

However, I must say that this type of cooperation also exists more informally among police forces. In cases of human trafficking, for example, we have no other choice, because it is all over Canada. I can tell you that we have excellent relationships with all other police forces when it comes to these investigations.

Mr. Hoang Mai: All right.

From what I understand about this program, the funding, which came from the federal government, was not renewed, and that is why the teams were dismantled.

Det Sgt Dominic Monchamp: I do not know where the funding came from.

Mr. Hoang Mai: All right.

Ms. Morin asked the question about potential tools to get people to testify. You did mention that getting people to testify was very problematic. Are you considering the videoconference option? Have you discussed that?

Det Sgt Dominic Monchamp: Those are tools that have been put in place and are extremely useful. We use them on a regular basis. They are all extremely important to victims.

It might not seem like much to you, but publication bans are a good example. For a victim who is involved in prostitution and who does not want her family or friends to know, it is extremely important that her name not appear in the newspapers. That is one of the first considerations, and it is automatic. So that is extremely important.

In some cases, where there are some sensitive issues, the proceedings are held in camera. The ability to testify by videolink is extremely important to victims who cannot face their predator. In some real-life cases, were it not for that, the victim would not have been able to testify. In some cases, it is physically or psychologically impossible for victims to testify.

However, it does not happen automatically. The Crown has to argue in court, against the defence, for permission to proceed by way of videolink testimony.

[*English*]

Mr. Hoang Mai: Inspector Perrier, you mentioned that things are changing in terms of the way we're seeing certain crimes. You mentioned that before we were targeting marijuana more, and now we're looking at slavery and things like that.

Can you expand more in terms of what has changed and why maybe law enforcement, or is it the public...? Is there anything we can do to make things change more quickly?

I know we mentioned about information and things like that, but how can things change more quickly?

Insp Gordon Perrier: First of all, this is a national issue when we come down to it.

I've talked about a lot of the programs and the extensive programs that exist in Winnipeg. I'm not bragging, but I do know that some of these programs have been around for a long time in our city. We did have an officer whose daughter got involved in prostitution and ended up losing her life as a result. That resonated with the membership around those programs, and how things are conducted and how they're done. It's about programming and it's about how you approach your business.

If you want to change that on a national scale, you have to have a national plan.

The Chair: Okay. That's your time. Thank you very much.

Thank you, Inspector, and thank you, Sergeant, for coming here today and providing great feedback on today's bill.

I want to follow on with Monsieur Bélanger, that you are excellent representatives of your profession. We don't often get a chance to thank our police officers for the work they do in the field. We want to thank you for doing an excellent job, representing not only police officers from your respective police forces but policing in general across the country. Thank you for your efforts and your commitment to our communities.

Thank you very much for coming.

On Wednesday, we have two panels. There will be two witnesses in the first hour and two witnesses in the second hour, and we'll continue reviewing Bill C-452.

With that, the meeting is adjourned.

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