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

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**Tuesday, March 29, 2005**

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**Chair**

**Mr. John Maloney**

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Tuesday, March 29, 2005

• (0840)

[English]

**The Chair (Mr. John Maloney (Welland, Lib.)):** Good morning. I'm John Maloney. I'm the chair of the Subcommittee on Solicitation Laws of the Standing Committee on Justice.

We're in Vancouver this morning. We have Mr. Art Hanger from the Conservative Party. Representing the Bloc Québécois, currently there is Réal Ménard, and we'll soon be joined by Paule Brunelle. You know Libby Davies from the New Democratic Party. We'll be joined momentarily by Dr. Fry, whom you would also know.

The routine, generally, is that we have roughly a seven-to-ten-minute presentation by members of the panel, followed by questions and answers, roughly for seven minutes per questioner. Mr. Hanger will start, and we'll go around. Then we will go to a three-minute round for as long as the time allows.

There are translation devices. Everything is bilingual. If you're speaking in English, it will be translated into French. And vice versa, if you're speaking French, it will be translated into English. Madame Brunelle and Monsieur Ménard are from the Bloc Québécois. You certainly may find it beneficial to wear your translation devices for the question and answer period.

Again, thank you all for being here this morning as well. It's early, but we appreciate your attendance.

Are there any questions? There being none, I would call on the Pivot Legal Society and Katrina Pacey, as director.

Would you please proceed for roughly seven to ten minutes? At ten minutes, I'll cut you off. I don't mean to be rude, but in order to get through it all we have to be arbitrary.

Go ahead, Katrina.

**Ms. Katrina Pacey (Director, Pivot Legal Society):** Thank you. My name is Katrina, and I'm the president of the board of directors of Pivot Legal Society. Thanks for inviting me to be here today.

Pivot is a non-profit organization located in Vancouver's downtown east side. We work specifically with marginalized groups in that neighbourhood. Specifically, we work with drug users, sex workers, and homeless people in that neighbourhood.

I believe you have received our written submission, which is called "Voices for Dignity: A Call to End the Harms Caused by Canada's Sex Trade Laws". This report was actually completed in

March 2004, for the purposes of this subcommittee. It was taken to Ottawa at that time and was presented to Minister Cotler. The report was co-authored by a working group of sex workers, lawyers, law students, and social activists.

The findings of that report arise out of the affidavits of 91 sex workers who work in Vancouver's downtown east side. We've actually provided these affidavits to the subcommittee in their full format, so that they can be seen as individual submissions from these individuals.

The affidavits contain two different forms of evidence. They contain expert opinion evidence, in the same way as you might call a psychiatrist or a doctor in the midst of a court case. We feel sex workers have an expert opinion, an expertise on this issue, and that it needs to be acknowledged as such. And they were also asked to reinforce their opinions with their lived experiences, with some factual evidence, so it also contains their lived experiences working under the current criminal laws.

Along with the existing academic research and legal analysis, the affidavits form the basis of our constitutional analysis of the laws. I'm going to describe later the ways in which the current legal framework creates harm for sex workers and violates the expression, liberty, security, and equality protections found in the Canadian Charter of Rights and Freedoms.

This brings me to my first important point, which I would like to highlight before I continue. The experiences and expertise of sex workers should be the paramount considerations in any law reform that takes place in Canada. Like those in any other profession, sex workers have specific knowledge about how their profession should operate and expertise about the occupational health and safety issues that they face. The voices of sex workers are key in the development of laws and policies that will support safe working conditions and create possibilities for positive change in Canadian society. With these voices as the foundation, I'll take you through our recommendations for law reform, followed by our charter analysis.

To begin our recommendations for law reform, I'll address section 213, which is the communicating law. The 91 sex workers we spoke with all stated that the communicating law should be repealed, but it is important to reflect on the purpose of this piece of legislation. The Supreme Court of Canada set out that its objective is "to eradicate the various forms of social nuisance arising from the public display of the sale of sex."

Among the provisions relating to prostitution, the communicating law is the most commonly enforced provision in Vancouver, with the Vancouver Police Department making 480 or so arrests per year. Most of these arrests occur in the downtown east side and in east Vancouver. In their affidavits, sex workers pointed out that enforcement is used to displace them from areas where they are unwanted. In the name of public nuisance, they are relegated to industrial, isolated, remote areas of the city. In these areas, sex workers are more vulnerable to predation, robbery, harassment, and murder. In these areas, they're unable to access help if they're in trouble, and they're very limited in terms of implementing safety measures, such as working in groups.

Furthermore, sex workers describe their fear of being caught by police while negotiating the terms of a transaction with a potential client. As a result, they feel rushed in these negotiations and are not able to take the time required to adequately assess a client and to follow their own instincts, or to maybe note if that client has appeared on a bad date list. Sex workers also describe how the communicating law places them at odds with law enforcement, and they feel less able to access police protection when it is needed.

These are just some of the effects that were highlighted in the affidavit. The harms caused by the communicating law far outweigh any possible benefits in terms of reduction of nuisance.

While sex work is technically legal in Canada, you can't do it outside on the street because of the communicating law. You really can't do it inside either due to section 210, the bawdy house law. There was overwhelming consensus among the affiants we spoke with that section 210 should also be repealed. By extension, section 211, which is about transporting someone to a bawdy house, should also be repealed.

Section 210 prohibits using any indoor location for prostitution, and the impact of this legislation is clear: sex workers are left with very few viable choices. Many sex workers are forced to work at street level, where they're subject to these dangerous working conditions I've described, as well as to the possibility of arrest. Some may be able to do outcalls, if they can afford a telephone and advertising, where they receive a call from a client and then meet that client at an agreed-upon location, potentially also an unsafe location. Or they can try to find employment at one of the hundreds of quasi-legal businesses in Vancouver, such as massage parlours, body rubs, health enhancement centres. This option is not available to everyone, and some prefer to work independently.

Further, these quasi-legal businesses may have some benefits, but overall these workplaces can also be very problematic. Particularly because much of the activity that takes place in these establishments is actually illegal, employees tend to be extremely vulnerable to exploitation at the hands of their employers and may experience physical violence from clients. They have little nor no recourse in terms of access to labour and employment protection or the protective services of police. This points to the issue of selective enforcement of the bawdy house law, where the city tends to turn a blind eye towards licensed establishments in Vancouver, whereas we've seen historically that when these types of establishments have arisen in the downtown east side, for example, safe spaces for sex workers to work, there's been an immediate crackdown.

These licensed businesses that provide sexual services do violate the bawdy house law frequently, and anyone in a managerial position in these venues is also potentially violating the procuring law.

In our report we call for the repeal of paragraphs (a) to (e) and paragraphs (h) to (j) of subsection 212(1). We don't address paragraph 212(1)(f) and paragraph 212(1)(g), which are the international trafficking provisions, and that's specifically because we didn't work with migrant women for the purposes of *Voices for Dignity*.

Sex workers are very clear that they want protection from violence, exploitation, and extortion. The objective of the procuring law is a noble one, that is, to protect sex workers from pimps, who are traditionally understood to hold an exploitive position of power. However, based on the perspectives put forth in the affidavits, it's Pivot's assessment that this section of the code is overbroad and prohibits activities that could improve the safety of sex workers. For example, some sex workers would like to work for an employer or in a setting where they can work collectively and share the administrative or organizational aspects of their work; however, due to the procuring law, which makes it an offence to cause or to induce...once we engage in prostitution, which has been interpreted very broadly by our courts, certain scenarios that we may not see as necessarily a criminal offence can be prosecuted under this section. For example, a sex worker referring a good client to another sex worker and receiving some compensation actually can be captured by this law. Furthermore, anyone who takes on a managerial role can be prosecuted under this section.

Paragraph 212(1)(j) also prohibits living off the avails of prostitution. I can go into some detail about this, but the law has said that living off the avails is a criminal offence if it's parasitic in nature. Well, I just want to point out the courts have been very broad in what they define as parasitic. In certain cases where someone has had a managerial role but has been a supportive employer towards escorts in their business, they have been prosecuted under this section for living off the avails. Further, a husband or a partner can be criminalized for wage sharing with their partner, who is a sex worker. Therefore, Pivot argues that these aspects of section 212 are overbroad. In their place, we can rely on sections such as the assault provision, the extortion provision, threatening, harassment, kidnapping. Those sections actually can be used in their place to identify when sex workers are being coerced or exploited.

These findings form the basis of our conclusion that these sections of the Criminal Code are unconstitutional. The communicating bawdy house section has been looked at constitutionally in the Supreme Court of Canada's reference in 1990; however, it's our position that this decision must be revisited, both because our understanding of the charter has expanded and also because our understanding of the harms caused by these laws has expanded since that time.

It's our position that all four sections violate section 7 of the charter, which protects the life, liberty, and security of the person, of sex workers. There's no question that the levels of violence experienced by sex workers is clear evidence that their life and security interests are being violated when they're forced to work in unsafe working conditions. In a country that entrenches liberty in its Constitution and prides itself in protecting civil liberties, it's our position that it's an affront to the personal autonomy of sex workers to deny them the right to engage in consensual sexual activity with another adult without risking incarceration.

• (0845)

Pivot further submits that these laws contribute to the social inequality that sex workers face, and also violate section 15 of the charter. The criminal laws exacerbate violence, stigma, discrimination, and social and economic marginalization of sex workers, and as we found in our affidavits, decrease their access to social services. These laws further undermine the human dignity of sex workers, which our courts have said is a key indicator of discrimination. Finally, the Supreme Court of Canada has already held that the communicating law violates the expression rights of sex workers.

The evidence and analysis show that these laws are an abject failure. To continue to force sex workers to endure the current conditions is unconscionable. This subcommittee is in an ideal position to make change.

The charter violations that I have outlined cannot be justified in a free and democratic society. The harms far outweigh the legislative objective, therefore it's our position that these sections must be repealed.

• (0850)

**The Chair:** Could I ask you to wind up?

**Ms. Katrina Pacey:** I have a few closing remarks, but I'll move through them hastily.

I just want to point out that many sex workers who currently work at the street level have told Pivot they would like to work indoors. So if we have a concern about the level of street prostitution, many of the sex workers we worked with would be open to and accept the opportunity to work indoors. Furthermore, concerns about street prostitution can be resolved through attention to the interests of sex workers and local communities, and handled at the municipal level.

It's our position that the government does not have to invoke a criminal law power to deal with bawdy houses and the potential for licensed establishments due to concerns about location and visibility. We have municipal governments that already have laws and bylaws regarding the location of businesses, advertising, and so forth.

The criminal laws are barriers addressing the health and safety issues faced by sex workers. The criminal laws should only play a role to the extent that they can be used to protect sex workers from violence and exploitation. I've pointed out how those sections are already in place.

Finally, the safety and well-being of sex workers cannot be secured through law reform alone. Social services play a critical role in addressing issues of poverty, ensuring the health and well-being of

Canadians, and in particular, the options that are available for sex workers.

Thank you.

**The Chair:** Thank you.

Next we'd like to hear from the WISH Drop-in Centre.

Ms. Gibson, Ms. Alderson, are you both presenting?

**Ms. Kate Gibson (Executive Director, WISH Drop-in Centre):** Yes.

**The Chair:** You still have just 10 minutes for your total presentation.

**Ms. Kate Gibson:** Good morning.

I'm Kate Gibson. I'm the executive director of the WISH Drop-in Centre Society.

WISH has been working with female survival sex workers in Vancouver for the last 20 years, providing respite from the chaotic lives of women living and working on the streets. The number of women accessing WISH has increased from a few who came to the drop-in for coffee in 1984 to anywhere from 100 to 150 women who come to the drop-in centre nightly. Numbers have ranged as high as 200, particularly in the summer months when migration toward the tourist trade is high.

WISH meets the basic needs of women working in survival sex, including providing hot nutritious meals, nursing care, shower facilities, clothing, and a safe place to rest as well as referrals for shelter and detox and links to other supportive programming. Often, coming to WISH is the only contact a woman will have off the street in a day. The environment is welcoming and caring and extremely low-barriered. While violence and abuse are not tolerated in the drop-in, women can come for a meal in any condition.

The WISH organization relies heavily on volunteers to serve on the board of directors as well as operate the drop-in centre. The board is made up of 12 members who lead all committee work and govern the operations of WISH. The drop-in centre has a roster of approximately eighty women who come in groups of four to six each night to assist in serving meals, handing out clothing and personal care items, cleaning, and visiting with the women.

WISH is the only drop-in centre for female survival sex workers in Vancouver, and we are there to provide service to one of the most marginalized groups in our city. The WISH mission statement is to increase the health, safety, and well-being of women working in the sex trade in Vancouver's downtown east side. The vision of WISH is as follows: WISH believes in the inherent value and dignity of all women and seeks to empower and support women in making free and positive choices.

WISH also believes in making visible the issues facing women working in the sex trade. We do this by providing a caring atmosphere of support, encouragement, and safety in a non-judgmental environment in collaboration with WISH participants, the downtown east side community, church communities, and the people of Greater Vancouver at large. Through advocacy, community education, and relationship building, we are committed to working toward a society where sexual exploitation of women and children is no longer tolerated.

The women who come to WISH have experienced and continue to experience violence, abuse, discrimination, and stigmatization. The health of most is precarious at best and on the decline due to HIV/AIDS, hep C, and STIs. The use of street drugs takes its toll on physical, spiritual, emotional, and mental health, and most survival sex workers suffer from addiction to one or more drugs.

We see a large representation of women of aboriginal descent who work in survival sex, and these women have the effects of residential schools and racial discrimination added to their burdens.

Furthermore, many of the women who come to WISH are homeless or at risk of being homeless. WISH offers programs to women working in survival sex that include a literacy program delivered in partnership with Capilano College, an aboriginal health and safety project for women working in the sex trade in partnership with Vancouver Native Health and Vancouver Coastal Health, and a mobile access project in partnership with PACE Society.

Previously, WISH offered a transition program to engage women in positive activities where they were able to build life skills that helped them to stabilize their drug use, look at changing their lifestyle, and move on to supported employment and education programs.

WISH is here today to support the decriminalization of activities listed under section 213 of the Criminal Code. The work survival sex workers do is not a criminal offence when it is between two consenting adults, but section 213 makes the negotiating of terms for that work illegal. By not permitting women to get a good look at a client or negotiate a price for a service, the law is endangering women and increasing the risk for violence from predators. In addition, once a sex worker has a criminal charge against them for soliciting, they are stigmatized in yet another way and their record will provide yet another barrier to them in mainstream society.

Enforcing the solicitation law will push women further and further into secluded areas, away from well-lit streets with more vehicle and foot traffic. This displacement puts women in dangerous places and maintains an environment where women are vulnerable to predators.

By continuing to make sex work illegal, we maintain a barrier between mainstream society and sex workers. The barrier allows some members of our community to justify their inability to work toward an inclusive city for everyone who lives and works there, not just those who own homes and businesses. The removal of this significant barrier and layer of stigmatization could pave the way for increased understanding and respect for the diversity of our population and create a safer place for all to live.

● (0855)

Criminalization of sex workers in no way addresses the health and safety of an individual or a community. What criminalization does is jeopardize the health and safety of the sex worker and isolates that person from the rest of society. Isolation causes fear, low self-esteem, and desperation, all symptoms that make sex workers more and more vulnerable to predators and violence. Surely we have seen enough of what a single predator can do. We need to commit to protecting the vulnerable sex workers, not criminalize them. We need to commit to eradicating the conditions that lead to sex work, not make people criminals for working in the sex trade.

We need to commit to working as a community to accept the diversity of our population, not fear sex workers as criminals. We need to commit to increasing the health and safety of our communities by helping the marginalized members of our communities, not by criminalizing them.

It is not criminal for adult women to work in survival sex. What is criminal is that organizations that work with sex workers have to continually scramble for funding to provide services, each time having to justify the work that we do. What is criminal is that homelessness, poverty, abuse, discrimination, addiction, and other ills that result in people entering the sex trade are not considered a national disaster, with relief funds attached to these problems.

What is criminal is that we do not have the ongoing political will in this country to address issues of the inequality of women who are the highest representation of people living below the poverty line. What is criminal is the amount of money spent by government, money that any number of on-the-ground organizations could use to improve the lives of so many citizens in our country.

Canadians need to address the root causes of people entering the sex trade and work to reduce these causes, but at the same time, we need to decriminalize the work of sex workers to remove another layer of stigmatization and discrimination. Those who live off the avails of prostitution and those who exploit children under the age of 19 must be charged and prosecuted. But consenting adults who are involved in a business transaction must be free of criminal charges for carrying out their work.

Thank you for the opportunity to speak to the subcommittee. I look forward to meeting you at the WISH Drop-In Centre this afternoon, where you will be able to meet women who continue to live the life of the survival sex worker.

**The Chair:** Ms. Alderson, are you going to—

**Ms. Lucy Alderson (Coordinator, WISH Drop-in Centre):** Maybe I'll save it for this afternoon. There is probably only about a minute left, right?

**The Chair:** No, you've got three minutes.

**Ms. Lucy Alderson:** Three minutes. Okay. Well, I could begin.

My name's Lucy Alderson. I work in partnership with WISH, and I work for Capilano College in the community development and outreach department. We've been collaborating to put together a community-based literacy program at WISH for the past six years. I think there was a lot of discouragement when we were trying to do that—both from funders and from other external sources—that women wouldn't be ready to learn, that they wouldn't be ready for a literacy program, and that's not what we found at all.

This afternoon, I think we can show you some evidence of what women have been up to when women are given a chance to have a voice and to create and to think about their own futures, to think about healing, and to think about their families as well, even if they don't live with them.

It has been a privilege for me to be a part of that, but at the same time, it is also painful to me to be working there as well. I've been haunted over the past few years by images of women who are isolated, as Kate has said. When we had the whole missing women's investigation, there would be women coming into the learning centre whispering in the corner about information they knew would lead to further evidence against Pickton, but afraid to come forward because of their own outstanding warrants—so again, not protected by the law, but isolated and also held back from helping their sisters.

One of the major points I wanted to make today is this. I've been working for 15 years in the downtown east side, and I've been working with lots of women in this room and other people in this room. We've raised about \$8 million for housing, for programs, and it feels like we're going backwards. There's a poverty machine out there that's spitting out women onto the streets of the downtown east side and into the sex trade, and into other work they don't really want to be doing. We have to stop that, and law reform is one of the pieces of that. People are going to speak really eloquently to that. I can't. But we also have to think of all the other discussions that go on in our party caucuses around health, around welfare reform, and around options that women have.

What we see is that all those options, those choices, are diminishing. Programs are being reduced. Legal information has been reduced, and more and more in our literacy programs we're doing the work of legal societies. If we didn't have Pivot in the downtown east side, we would really be at a loss for a voice in that way.

So I'm just urging, in a rushed sort of way, that those discussions continue in all places and at all times.

One of the projects we had at WISH over the past couple of years was a solidarity project. Because women couldn't look to any other place for protection, they looked to each other and they tried to encourage that. So they made petroglyphs, stones with sayings around them, urging each person to be a sister or a friend to the next person. At some point, I'll give you one of their stones and include you in the circle.

● (0900)

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

Ms. Bowen, are you settled yet, or can we move on and come back to you? Would you like to present now?

We have Raven Bowen, who is with Prostitution Alternatives Counselling and Education Society and BC Coalition of Experiential Women.

**Ms Raven Bowen (Coordinator, Prostitution Alternatives Counselling and Education Society and BC Coalition of Experiential Women):** Thank you.

I'd like to thank the members of the committee who had the courage and versatility to travel across the country to sit with people who wouldn't normally get a chance to sit with you, so I really want to thank you for that.

I'm a woman who's living with a section 213 charge; I'm an experiential woman. As he said, I'm a former executive director of PACE Society, and I now coordinate the BC Coalition of Experiential Women, which is a group of sex worker advocates throughout the region. Above all the other things we're doing, we want to make sure there are opportunities for sex workers' self-advocacy, because women in and from the trade are usually represented, and sometimes that representation has led to increased harm to individuals who are currently involved in the industry.

I just want to give a little bit of background on PACE Society. PACE is a sex-worker-driven, Vancouver-based organization that offers non-judgmental alternatives, counselling, education, advocacy, and empowerment to those in, susceptible to, and exiting from the survival sex trade.

We provide broad-based community education programs, prevention tools, videos, and curriculum. We've partnered with the Vancouver city police "use of force" officers to create a confrontation management program, where sex workers are developing skills around de-escalation, defence, and disengagement from violence.

We've created a hep-C cookbook. Sex workers living with hep-C created the cookbook for the larger community.

We also partnered with the Vancouver Agreement Women's Task Team and the WISH Drop-In Centre Society to provide a mobile access project, which Kate already spoke to. Basically, our programs are around asset mobilization for sex workers.

I want to make a couple of key points today.

First of all, PACE and the coalition are firmly in support of the decriminalization of sections 210 and 213 of the Criminal Code. Not only have we witnessed the effects of enforcement, but we've also experienced it. Street-level enforcement, including the selective enforcement of section 213, leads to the displacement of sex workers. I'm sure you've heard this before, but it displaces sex workers to more remote times of day to work, more remote areas of any given city, and isolates them from their selective kinship. Sex sellers then take customers they wouldn't normally take. They conduct sex acts that are outside their menus. Upon successful completion of that transaction, they're left in remote and unfamiliar areas and to make their own way home.

This isolation and displacement is what increases sex workers' susceptibility to violence, and that's why, on original missing women's posters, the date last seen and the date reported missing sometime span a decade.

The criminalization of negotiation also infantilizes women, forcing them to communicate their services and their boundaries using non-verbal gestures or using phrases like, "Want to party?" The customer then remains in a position of power, where they control the location, the duration, and the activities.

Section 213, when it is enforced, also removes paying customers from the reach of sex workers, leaving sex workers at the mercy of predators and creeps.

Women say to me—and are now saying, through me, to you—that until you're ready to support them in creating long-term solutions to deal with the feminization of poverty, housing, scholarships, stability, and the things that women and men need in order to support themselves, charge the men who rape and kill us, and not the men who pay us.

**Voices:** Hear, hear!

**Ms. Raven Bowen:** The PACE Society makes the distinction between sex work and survival sex. Sex work is known to you as prostitution. We define survival sex as the lack of opportunity to consistently exercise the right to refuse customers in any given circumstances. So basically, if you're in a situation where you have to take that date, you are a survival sex worker. Sex work is then defined as the exchange of sexual services for remuneration, where both parties consent and negotiate the details of a transaction.

• (0905)

As survival sex is embedded within larger social issues of poverty, racism, tiered systems within education, labour market skill development, and health services, we argue that section 213 creates forced-labour-like practices. Poverty, desperation, and criminalization or the threat thereof force sex workers to accept any and all customers to avoid pain. Avoiding pain for an individual who's addicted means avoiding withdrawal. Avoiding pain for women or individuals who don't have sustainable incomes means starving or not being able to feed their children. For women who are pimped or owned by organized crime, avoiding pain means making that quota so they don't get beaten up.

Also, section 210 unfortunately guarantees that sex workers who are not marketable or who do not choose to be involved in

organized-crime-run or city-licensed venues remain plying their trade outdoors.

We are recommending, in Vancouver's case, the reinstatement of the work/live bylaw to include sex work. We're recommending a change to the Charter of Rights and Freedoms to include discrimination against one's occupation to enhance the legal protections for individuals involved in the sex industry. We also recommend the creation of cooperatively structured off-street venues where the sex workers themselves create and uphold the collective operating structure. It would be like collective agreements where all the business-related issues like standard minimums for service, occupational health and safety, group benefits, maternity leave, and sick leave are negotiated by the women and men who are providing the services.

We are also firmly saying no to the Swedish model if it makes it illegal to pay sex workers directly. Sex workers already have brokers, so this would just formalize the brokerage system, and we don't need that.

The next couple of things I'm going to say may seem a little harsh, but I'm here because other women are not facilitated in being here. I'm talking about the women I rushed by on the way to get here, the women who didn't eat last night or this morning, the women who didn't sleep anywhere last night because they're homeless, the women who didn't get the medication they needed to be well enough to come here, the women who couldn't shower, and the women who don't have nice suits so they wouldn't feel comfortable in coming here.

We want this subcommittee to adopt as a basic principle that whatever discussion happens around this, you include the individuals most affected by the issue in the creation of its solution. That means that individuals living with criminal charges and individuals currently criminalized must be central to any discussion or any decisions made on this issue. We need the lawyers, we need the legal advisers, we need the law enforcement, we need the current community service organizations, and we need the academics and researchers, but not at the expense of the experiential voice. We've done this before and the bodies are piling up.

The second thing is that this is going to take a long time. If we look realistically at the resources that may have to be attached to this and any expanded tour, we're looking at enough dollars to fund PACE Society for two years, to fund the coalition for seven years, to fund WISH Drop-in Centre for two years, to fund the Mobile Access Project for two years, and to put 100 women through the rapid opiate detox program. There are a lot of resources attached to this. It's also going to take a lot of time, as individuals in nice suits talk to other individuals in nice suits.

• (0910)

What we're saying is that for the women, men, and transgendered individuals who are currently being criminalized, we are calling for a moratorium on sections 210 and 213 during the law reform process. I don't know how this is going to take place, but I'm urging the members of the panel to do whatever is in your power to give individuals currently involved in the sex industry a reprieve until we figure this out.



Thank you.

**The Chair:** Thank you.

Next is Sue Davis, board chair of Prostitution Alternatives Counselling and Education Society.

**Ms. Susan Davis (Board Chair, Prostitution Alternatives Counselling and Education Society):** Good morning. As you said, I'm Susan Davis. I'm the chairman of the board for Prostitution Alternatives Counselling and Education Society. I'm also an active sex worker of 17 years. I've been asked to speak to you today a little bit about how these two sections of the Criminal Code, sections 210 and 213, have affected my life.

I began sex work in my hometown, working in massage parlours and for escort services. I decided to migrate westward, as many people did, I guess, in search of better paying, steady work and the diverse culture of a big city. I was particularly interested in Vancouver, of course, for all the obvious reasons, and just set about planning my trip. I called ahead to the city licensing board to see what their policies were about issuing licenses, and discovered that I wasn't eligible because of my criminal history.

I decided to come to Vancouver in spite of this setback and try my luck on the street. I worked and lived in hotels on the lower east side. I guess in retrospect this was a dangerous decision, and it led to some of the most violent times of my life. Greedy hotel owners, drug dealers, pimps, and competing sex workers were only some of the trials that we faced every day. I was once refused medical attention by a doctor, who stated that I should come back later and see the night doctor, who was more suited to treating my type of patient.

While working on the street I watched a fellow sex worker attempt to report an assault to a uniformed police officer immediately after it had happened, only to be told that the police were not interested in taking her report. I myself tried three times to report an assault. Although I had my assailant's licence plate number, I was ignored.

On another occasion I was assaulted and unlawfully confined. In this case the police felt there were sufficient grounds to press charges. My assailant was so confident that he didn't even bother to hire a lawyer and was allowed to cross-examine me himself. Three RCMP officers, my private security guard, and I all testified at the trial, only to have the judge acquit this man stating that he, the judge, did not believe specifically my testimony.

Compounding these events, I was arrested three times under section 213 of the Criminal Code. Once arrested, you're not allowed to return to work in the same area, and if you do, you risk complicating the charges. Street life is a hand-to-mouth existence, and I paid for my hotel daily. Before being arrested I hadn't made any money, so I couldn't afford to pay for the hotel room. After some convincing, the hotel clerk said he would allow me to stay if I'd pay him double the next day. This meant the next day I would have to start work \$180 in debt or become homeless.

These arrests also meant my name was entered into Vancouver's vice squad files. I worked hard and got myself off the street and received a full criminal pardon. I believed this pardon would finally give me the escort service licence that I had worked ten years to obtain. Not so: my file with Vancouver vice still exists and prevents my receiving a licence even though I have a full pardon. When I

questioned them about appealing this decision, they said there was nothing they could do. This, as far as the city was concerned, basically condemned me to work on the street. I say "condemned" because the mortality rate of sex workers is horrible.

All of this happened without the police ever actually meeting me face to face, and they showed complete indifference about how the decision would affect my safety and my life. In short, these laws and the indifference with which they are applied create a void between sex workers and the system, which claims to have their best interests at heart. We need to embrace education and understanding. Sex workers are people. They are sons and daughters and brothers and sisters. I am a human being.

Section 213 didn't discourage me from working. It only served to impede my efforts to create a safer working environment for myself. Section 210 makes my safest work option illegal. Many Canadians operate small businesses from home. Why shouldn't we? I pay GST and income tax just as everyone else does. Why are the rules different for sex workers?

The time for discussion is over. We need implementation now. How many committees, reports, or trips around the world are needed for people to come once again to the same conclusion? How many people will spend their careers doing research and making unheard recommendations while sex workers suffer?

No one claims to have a sweeping solution. Sex workers are people with individual needs and problems. But at the very least, removing or rewriting these laws will show that the government wants to reduce the hardships facing us and break down the barriers that have kept us marginalized for so long.

One of PACE's members said to me that she was scared for me when she learned that I was coming to speak to you today. She told me not share my personal experiences, and said that Parliament loves to hear—

● (0915)

**The Chair:** Excuse me, Sue, could I ask you to slow down. Our translators are having difficulty following the pace. You're talking a little too quickly.

**Ms. Susan Davis:** Sorry. I'm a little nervous.

She said that Parliament loves to hear "ho" stories, and that my pain would fall upon deaf ears. What a tragedy. She seemed so defeated and resigned to things never getting better, that once again this hearing would be an exercise in futility and nothing would change. Is that the kind of nation we are—ignoring the plight of our most vulnerable citizens?

Please hear me and see me—I'm a wife, a daughter, and a sister—and try to understand how desperate I feel. Laws are written to protect. Laws are written for the greater good. Laws don't always protect the way that you hope they will, and these laws aren't working.

Thank you.

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

We will next go to Shelley Woodman, executive director, Prostitutes Empowerment Education and Resource Society.

●(0920)

**Ms. Shelley Woodman (Executive Director, Prostitutes Empowerment Education and Resource Society, Vancouver):** Thank you, Mr. Chair.

Actually, Kyla Kaun is going to be speaking first.

**Ms. Kyla Kaun (Director, Public Relations, Prostitutes Empowerment Education and Resource Society, Vancouver):** I'll be speaking for PEERS today.

I would like to begin by welcoming everyone here today. It's nice to have you all in Vancouver, those of you from other places.

My name is Kyla Kaun. I'm the director of public relations at PEERS Vancouver, an organization that offers exiting and recovery programs for people in sex work.

We are here today to address the unique and individual impacts of and concerns about existing legislation on sex workers in our community. We recently held a focus group with our staff to debate the potential impacts of decriminalization on our clients. One of the overlying concerns was that it is difficult to assess the impact of something when there is no real set of guidelines in regard to this change. We did, however, come up with many possible scenarios that I would like to share with you today.

The first and most prevalent change would of course be that sex workers would no longer face criminal charges that relate to their work. The stigma in decriminalization that coincides with these charges would no longer be a barrier. A sex worker whose activities are currently deemed criminal would no longer have the threat of criminal prosecution.

Other positive changes that could come from this legislation are protection under the Employment Standards Act, WCB, and Canada Pension Plan, the forming of a sex workers' union, maternity leave, etc. Self-employed sex workers would be afforded the basic benefits of being a business owner. There would be improved access to health care and health benefits.

There is the hope that changing this legislation will improve the safety and working conditions of sex workers and that their avenues to address assaults and other complaints will be free of judgments and opinions that arise from views on their type of employment. The ability to track assaults and complaints can lead to swifter resolutions and punishments of offenders and will inform sex workers about the clients they are seeing.

Our greatest hope is that the change in legislation in time will help to change the attitudes and misperceptions about and toward sex workers. We do, however, have many concerns we would like to share with the subcommittee. Changing the laws does not change people's views.

The stigma sex workers face is rampant and in various degrees discriminative. No worker should be forced to disclose publicly. The possible implementation of HIV or STD testing similar to the model already used in the adult film industry will violate sex workers' rights to privacy.

**A voice:** Hear, hear!

**Ms. Kyla Kaun:** It may force already infected workers into an unsafe underground trade where they will become targets of further violence.

What will happen to the survival of sex workers with the change? What will happen to the infected sex workers with the change? Will condoms still be available to sex workers free of charge?

This type of regulation speaks also to the double standard between sex workers and their clients. Will there be mandatory testing of all clientele? Mandatory testing can also lead to further exploitation of youth, as many clients now believe that the younger the youth are the less likely they are to have contracted any illnesses.

Poverty, abuse, and addiction are some of the underlying reasons people enter sex work in the first place. These root issues must continue to be addressed. Organizations that assist sex workers to evaluate their experience and to make healthy, informed life choices are essential, as are services that include housing, mental health, drug and alcohol treatment, and counselling. Currently there are harm reduction services in place, but they are not championed by access to long-term treatment and supports.

Advocacy services and exiting programs are a vital element of true integration to legitimizing sex work. We are obligated to ensure that no person is working in sex work for reasons other than personal choice. Anything less is sexual slavery.

We have an obligation to acknowledge that there are different types of sex workers, and new legislation will affect them all equally. Male and transgendered sex workers have their own issues that deserve equal consideration and inclusion in potential legislative changes. Many sex workers are trapped in violent situations with pimps and/or boyfriends. This form of abuse will not disappear, and laws pertaining to coercion into sex work must exist, and the punishments must be severe.

The implementation of a new directive regarding sex work will require a period of transition. There must be support available and information prepared to assist sex workers. Making changes without effective transitional planning would mean that very little would change for sex workers currently working.

The government must not impose regulation on the cost of services. Sex workers must be permitted to charge what they believe to be the worth of their services.

●(0925)

Laws on trafficking must be inflexible and the punishment considerable. A legitimized environment will attract elements from every corner of the world looking to use our laws to exploit women. To be a country proud of our humanitarianism, exploitation cannot be accepted, condoned, overlooked, or ignored.

In urban centres within our country, we are seeing an increase in visible minorities working at street level, and the indoor parlours and agencies have an ever-growing international workforce. As a diverse country, it is important that all front-line workers have cultural sensitivity training, as many cultures have strong beliefs about sex, sexual issues, and even language pertaining to sex.

Vancouver is internationally known for child prostitution. We face an increase in foreign visitors who arrive in our country with the intention of abusing and assaulting our children. Even more disturbing is that with our increasing reputation there is a greater demand for children and youth for sexual purposes.

With the arrival of new laws, how will we be able to protect children from exploitation? We fear that with new legislation the child sex industry will be pushed even further underground. The safe care legislation is a return to the old idea that we must protect youth from themselves, and it does not account for the appropriate support services that must be in place. This legislation brands the youth as sexually exploited, and this terminology will follow them until they turn 18. Forced disclosure is unacceptable and only serves to work against the youth in reintegrating back into school, work, and family.

We must have a cohesive plan for dealing with the sexual exploitation of children and youth, both by providing preventive strategies and recovery and support services that are unique to youth.

Public education interventions must continue. The age of entry is getting lower. We must continue to provide tools to our children by openly discussing sexual exploitation, how to recognize this type of sexual predator, and the resources available to them.

Educating the public must also continue. All front-line workers must have an understanding of the issues facing sex workers. The influence that doctors, nurses, social workers, probation officers, and lawyers can have on sex workers has a lasting impression and can affect how often they will access services and whether or not they will report crime. Changes in societal opinions will profoundly influence the amount of violence suffered by sex workers.

The images portrayed by media outlets that are more interested in headlines than a factual representation of the sex industry are a major contributing factor to the stigma and dehumanization of sex workers. Predators will continue to seek out sex workers as long as we view them as undeserving of respect and as long as there is apathy toward the treatment of sex workers.

In what way will the legislation actually protect sex workers? Allowing someone a few extra minutes to assess the situation and decide whether the client is potentially dangerous is not enough. There must be a defined set of regulations that establish appropriate behaviour and predatory criminal behaviour. Immediate emergency response policies must be in place.

Unless we deal with all of these concerns and any concerns addressed by other sex worker organizations and sex workers themselves, this legislation will not only fail to protect sex workers, but it will make available both to traffickers and predators a system ripe for their practices.

Do not enact legislation that is not clear and well defined. Loopholes for anyone looking to prey upon others are unacceptable.

Thanks.

**The Chair:** Thank you.

From the Prostitutes Empowerment Education and Resource Society, we have Lauren Casey and Gwen Smith.

Again, we have allowed 10 minutes for the organization.

**Ms. Gwen Smith (Member, Prostitutes Empowerment Education and Resource Society, Victoria):** Hi. My name is Gwen Smith. I'm a founding member of PEERS Victoria and the program manager for the Canadian National Coalition of Experiential Women.

Last November I celebrated my ninth anniversary of having left the sex trade. That's the same amount of time as I was in the sex trade as a teenager. I will leave it up to you to decide how old I am now.

Needless to say, I've had years of experience both in the sex trade and in the social services field and most recently as an activist. Over the years I've talked to thousands upon thousands of people about these laws in casual conversations and in cabs and airports, and I feel that I have a good idea of what general Canadian citizens think about these laws.

Lauren.

• (0930)

**Ms. Lauren Casey (Member, Prostitutes Empowerment Education and Resource Society, Victoria):** I'm Lauren Casey, the former executive director of PEERS Victoria. I'm representing PEERS Victoria as a former sex worker. I'll give you more detail when I get to my talk.

**Ms. Gwen Smith:** This is a direct quote from the Canadian National Coalition of Experiential Women's statement on law reform:

The communicating laws systematically enforce states of economic inequality by making it impossible for women to negotiate their price and which services are available at that price. Further, they cannot work independently, in their own indoor venue, without shouldering additional culpability under the Bawdy House laws.

Communicating laws put power into the johns' hands. They enforce sex workers to leave public sites and/or meet them in person—in the case of phone lines being deemed public venue—before they can even begin negotiation. Due to the worry of being trapped by undercover police, women generally let the john name an act for a price first, giving him the advantage in negotiations—as it does in all business transactions.

The communicating law makes it impossible to establish a fair market value. Women are cheated because the johns say, "No, I won't pay you for that. I can get it down the street for less". Since the woman is already in the vehicle, the hotel room, or his residence, the amount of time she has wasted getting there is probably not worth the difference in price.

**Ms. Lauren Casey:** I'd like to jump in now and just give a little history on me. I worked in the industry as well for a very long time—15 to 16 years—on the street as an escort, independently, and in a massage parlour. I'm also the proud proprietor of a criminal charge.

Gwen and I will be shifting back and forth, because we have arguments on each side. I'm going to talk now about section 213. And when I speak, I'm speaking on behalf of women, men, and transgendered individuals. This is not just a women's occupation.

Section 213 is used by police to move people around, invariably into more isolated, darker industrial and low-income neighbourhoods. For those working on the street, we're there at even greater risk of being murdered, raped, and/or robbed.

I have done a study. As a former sex worker, I believe that research should be done by sex workers. The research I did was around crack cocaine addiction, sex work, and the industry in itself. The person I'm representing is unfortunately not alive anymore; she was murdered. Her name is Marilyn. I want to bring her voice to the table.

This is what she had to say about section 213:

The question is, how exactly do we deal with the issue of sex work? As it is currently, we have neighbourhood watch citizens patrolling the streets and police arresting the girls—or men or transgendered people—and putting them in jail or giving them fines. Is this solving the problem, or is it merely pushing it into somebody else's backyard and making it more difficult for those who want to leave the industry to get the help they need? How quick we are to judge these people but not so willing to get our hands dirty to be of real assistance.

Marilyn expressed a concern about the policing of sex workers. She had been sentenced to jail—formerly, of course; she's not alive anymore. She probably went to jail about six times and was issued a fine several times. One quote from her was, “I remember one time saying to the judge, just how do you expect me to pay this \$200 fine—by selling my ass? Who are you—my pimp?”

That statement landed her in jail again.

It's currently costing the taxpayers several hundred dollars per day to charge women, men, and transgendered people and keep them confined to jail, prison, and/or treatment. “I feel if some of these moneys were distributed to education and/or employment programs and they were made mandatory for people to take, this would make more sense.” This is Marilyn speaking. “This way skills are learned and developed, and the possibility of bettering themselves is increased.”

I also want to say that sex workers are educated as well. I got a university education while working in the industry, and I know several who are now lawyers and doctors and the like. However, some of them can't practise because they have the criminal charge.

So people who have had johns who they feel are a danger to society do not file a police report, because it is the sex worker who is criminalized.

• (0935)

**Ms. Gwen Smith:** I think Lucy said this a little bit earlier, but I just want to say that I too have personally had johns who I felt were a threat to other members of society, and I have also heard of them over the years. I've had people walk me around town, members of PEERS, and show me where a john who they felt was a threat to society lived. I'm talking about the johns who ask you to dress up like their neighbour's daughter. I'm talking about the johns who want you to wear a diaper. I'm talking about people who are very disturbed.

Sex trade workers run into these people, and they often want to come forward and give information, but they do not want to be criminalized. They are not in a position of power in order to file a

report with the police, even though they have some very beneficial information. And it pains them.

I'd like to talk about escort agencies and the bawdy house laws. Escort agencies frequently break procuring laws by advertising for escorts, and their owners clearly live off the avails. Bawdy house laws encourage this euphemistic term—and it is a euphemism. I have never heard of an escort going out to dinner with their client.

They take the power away from women in sex work by making it illegal for them to run their own legitimate businesses.

**Ms. Lauren Casey:** Without the ability to run their own legitimate businesses, sex workers cannot access employment benefits, workers' compensation, and retraining in the way that other workers can.

A criminal record, coupled with the stigmatization of sex workers in our society, impedes their chances, as I said earlier, for those who want to gain higher education and enter other work service sectors. In 1997 PEERS Victoria was lucky. They did receive funding that recognized that sex workers who wanted retraining programs could get them. This was similar to employment insurance programs offered to other workers. However, this funding is no longer in place.

People support themselves, as I mentioned earlier, through post-secondary education on their earnings from sex work. A criminal record would prevent them from moving into certain fields like social work, nursing, and law. Transferable skills from sex work are applicable in all these fields.

**Ms. Gwen Smith:** In conclusion, I would like to say that these laws support the stigmatized view of sex work while doing nothing to decrease its occurrence. A woman cannot name a price in public, but she can be advertised by an escort agency owner as being an escort who is able to do anything to please. She can be forced to give an owner a picture of herself for this purpose before she is allowed to work at an agency, where she believes she will be safer than on the street, but she cannot legally combine her resources with a few of her friends and run a cooperative business. There was a recent study out of Montreal that showed this to be the safest form of work in the sex trade. She cannot legally do that.

Children have free access to the advertisements in the yellow pages and local papers, and they can watch the latest news on TV about hookers being killed. If we're trying to protect them with these laws, we're mistaken. It's not working.

Lauren and I figure that between the two of us we've talked to over 10,000 people, and a large majority of those people do not think that sex work should be a criminal activity.

**Ms. Lauren Casey:** Our recommendation is simple: remove sections 213 and 210 from the Criminal Code. Their removal can do no more harm than their existence does. Their existence represents an outmoded, Victorian view of the sex trade and, by extension, of people, which is not a current Canadian view.

In our experience, legalization—by which we mean increased government control of the sex industry—is unacceptable to almost all members of the population, who do not want to see their government as a pimp.

Increase the population safety by removing these paradoxical, disempowering laws, and allow sex workers the opportunity to operate as legitimate citizens and business people.

Thank you.

● (0940)

**The Chair:** Thank you.

Before we move on, is there a representative from Egale Canada in the audience?

There being none, we'll move on to the Sex Workers Action Network, Cynthia Low and Davi Pang.

**Ms. Davi Pang (Sex Workers Action Network):** My name is Davi Pang. I just want to talk a little bit about SWAN and what SWAN does.

SWAN has been in existence for over two years now. We're made up of women with diverse backgrounds and cultures. We are a group of women from different communities and are committed to volunteering our time to address concerns about issues related to sex work, adult entertainment, sexual exploitation, prostitution, and trafficking. We have different languages and cultures; some are immigrants, some are refugees, and some of us are locally born. We are represented through community consultation and participatory inquiries for women who encounter multiple barriers to equal opportunities.

Here is a brief history on what SWAN does. I don't think we will have much time, so I broke everything down.

We outreach to the massage parlours in Vancouver, Surrey, Burnaby, and Richmond, giving out health supplies such as condoms, lube, and gloves. We use a culturally appropriate approach and provide cultural sensitivity training to other agencies as well. We provide resources on issues like immigration, housing, law, employment, and health.

SWAN also offers support in several Asian languages. We facilitate access to reproductive and other health services through the British Columbia Centre for Disease Control, which is known as the Street Nurse Program, providing Pap tests, STI and STD testing, and education.

We also facilitate learning exchanges between immigrant-serving agencies, sex work organizations, and other service providers, and conduct needs assessments with women affected by off-street prostitution by using participatory action research. We participate

in committee forums and round tables on issues affecting our population, such as sex work and trafficking.

Massage parlour workers and escorts make up a significant part of the workforce in the sex trade. In massage parlours, many of the women are from other countries, working with illegal or semi-legal status in Canada, and under debt bondage and conditions. Although decriminalization of solicitation law aims at improving safety and increasing the negotiating power of street-level sex workers, its effects will be more widespread.

I urge the committee to investigate and take into consideration the impacts of law reform on off-street sex workers and trafficked people. For example, the solicitation law sets limits on what massage parlours can and cannot say in printed ads; the negotiation of services happens over the phone or when the customer arrives. As it is, most women in off-street work rely on receptionists or managers to do this negotiating. Agency receptionists bend the truth to book a client. This is one way women lose the chance to speak and negotiate for themselves.

If prices and specific services are advertised in the paper, as will likely happen if solicitation laws are removed, printed ads become one more way that women lose their voice. Competition and pressure will push prices down, and advertisements will become more and more graphic to entice customers. Customers will come to a massage parlours and escort services expecting riskier services at lower prices. This is one example of the possible impacts of decriminalization of solicitation.

While working to make street-based sex work safer, I hope the committee will also keep the less visible and very complex realities of the sex trade in mind.

I just want to share a little bit about section 213.

About 10 years ago I was charged with section 213. I hadn't worked for...quite some time; I can't remember. I was crossing the border with my husband into the United States—I'm married to an American. Never before had I ever been stopped. This time, they pulled me over—it was racial profiling, too, obviously—and the officer just wouldn't be satisfied. He just kept on running my name, and running my name. It took him about two hours to actually get all my records out. So he was digging and digging, and because of section 213, I was humiliated.

● (0945)

I was taken to their back room, and they wanted to strip-search me. They didn't tell me my rights. They basically took away my human rights. They just took me into a room, interrogated me, made me sign papers, fingerprinted me—and this was for section 213 ten years ago.

I just wanted to bring that to your attention. That's how it affects women. It hurts us, so we need to do something more about it.

**Ms. Cynthia Low (Sex Workers Action Network):** I'd like to take some time to recognize that we're on Coast Salish and Burrard Nation land.

SWAN is a voluntary group. Most of us who do this don't have an executive director, and we don't have any lawyers. We're not versed in legal conversations or anything like that. But I can tell you a little bit about what we do. We go to massage parlours. Initially we started because we were interested in getting narratives on the scope of sex work within different communities.

The scope is far-ranging. It goes from legal registered massage parlours to organized crime, underground situations, individuals working for themselves, micro-brothels, documented and undocumented workers who are linked to trafficking, a huge Internet component, and advertising. If you open the local Chinese newspaper you'll see four or five full pages of advertising for massage parlours and escort services. It's very visible in some communities, and in some communities it's very invisible.

It's also very much linked to trafficking, in terms of organized crime. Most recently in Vancouver there were a number of busts by vice. Whenever this happens, they call on what is now restructured as the border services, rather than Canadian immigration. In that situation the women are usually deported within 24 hours or 48 hours. In the past couple of instances they've actually tried to call non-profit organizations like SWAN to become involved. However, in the past women have just been deported and not given any information about their protection under Canada's law for victims of trafficking.

There are huge struggles within our communities to talk about the issue of prostitution. There is usually denial that it happens. They're faced with the double-edged sword of being part of a group that is stigmatized not only because they are women in the sex trade, but also because of their race and their history of migration.

There's a lack of awareness of the laws of prostitution. In the massage parlours we go to, most of the women think that prostitution is illegal. They have absolutely no idea about sections 210, 213, or 211, or paragraphs (a), (b), (c), (d), (e), (f), (g). It is just illegal to them. There is no information. There are language barriers. There's a considerable lack of capacity around understanding that they do have rights, even if they're working in a massage parlour.

The added pressures of racialization, migration, and displacement mean that these individuals, like Davi and me, are usually held up to represent not only our families, but whatever nations we might have come from. There is a real inability, a real barrier for women to come forward to ask for help because of the shame involved, because of the kinds of pressures that are placed on immigrants, their families, and individuals. There's an unfair perception of Asian or racialized organized crime. Organized crime is involved in prostitution across the board. Unfortunately, of course, Asian gangs in Vancouver are perceived to be the primary movers in this field.

As new immigrants, most of the women we come across work in legal massage parlours registered under city or municipal law. The women have lots of experience. They have migrated here. They've been accepted as immigrants because of their credentials as teachers, physicians, secretaries, lecturers in universities, and whatever. But they can't find jobs here because of the barriers Canadian employers have, de-skilling, and the expectation that immigrants have Canadian experience. They are working in massage parlours because no one

will hire them, despite the fact that their credentials were accepted by Immigration Canada as being valid.

● (0950)

For many it's an economic issue, but unfortunately, when we limit the discourse of prostitution to economic norms, it also means it's a supply and demand concept. Our concern is in terms of cautionary tales, and assuming labour and immigration laws and aspects of the Criminal Code will protect women is naive.

One of our recommendations is that we make sure law reform is not the only solution. We ask that there be a multi-sectoral approach that includes enforcement in different sectors, such as labour law, immigration, and other aspects of the Criminal Code that protect women; and to privilege the workers, not the owners of establishments, in certain circumstances; and also to prioritize the experience of women, and not, for the example of trafficking and organized crime...it's to not focus on charging the traffickers, but to privilege protection of victims of trafficking as the focus.

Our recommendation is that peer- and community-based leadership and capacity building be included; that there be public education through different modalities that include different communities; that there be a critical shift to seeing women and sex workers as victims of crime and vulnerable to predation; that enforcement reflect this critical shift to protect the victims of crime; and that there be training for law enforcement, border security, and citizenship and immigration personnel.

One of the reasons there's increased trafficking of women is also that women do want to come to Canada because there are better opportunities here. However, it has become more and more difficult to come to Canada through legal means. I mean that the criteria for immigration are so stringent that unless you're extremely wealthy, even if you do have credentials, education, or whatever, you can't necessarily succeed here, because of other kinds of barriers.

We also recommend that there be a wide range of services and an international component that ensures that women will not become victims of trafficking and that women who are working here in Canada will not be subjected to importation or trafficking of women that will affect their livelihood.

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

It would appear we've come to the end of this panel's presentations. We will now go into the questioning period by our members of Parliament. The first round is seven minutes, and then there's a second round of three minutes each.

Mr. Hanger, would you proceed?

● (0955)

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

I wanted to thank all the presenters here. That's quite a bit of information in a very short time, actually, from different groups with different experiences.

I am particularly interested in a comment made by Katrina from the Pivot Legal Society. I think you're hitting on a very important aspect of what we as legislators are all about. I'd like some further explanation, maybe from you but from anyone else who would care to comment on it.

You were talking about the criminal law and how it should play a role in protecting the safety of sex workers. That it should only play a role to protect the safety of sex workers is the way you expressed it. To me this is the crux of the matter. Looking at it from a much broader perspective, which I as a legislator must do, we see there's a community, not just a group of individuals and not just a handful of people. Looking at the broader picture is what I'm getting at here. The way I see it, for the community at large the whole issue must not be only to protect the lives of individuals, but it must go far beyond that.

Since you made the statement, I would appreciate some more clarification on that point from you.

**Ms. Katrina Pacey:** My answer to that question would be that we need to look specifically at our objectives. When I made that statement, I was talking specifically about the need of sex workers to be protected from acts of violence and from exploitation, but as you pointed out, there are clearly needs in terms of the community and the sort of social nuisance issues that were discussed as objectives of the criminal laws when they were enacted. My answer would be that what we need to do is really enumerate what those objectives are that we need legislation to fulfill and then really wonder and question whether the criminal law is the appropriate sort of heavy-handed implement to use in order to address those objectives.

It would be my argument that the criminal law causes enormous harm in its attempt to meet those objectives. So what we need to do is to look at other areas of legislation, look at different levels of government and question whether those levels of government are more appropriate to address the issues and the objectives that the legislation is trying to fulfill. So if you're looking really at where sex work takes place, for example, and whether it takes place on specific streets or in specific communities, is that not best dealt with by that community that has those specific interests and needs and by that municipal level of government?

**Mr. Art Hanger:** Okay, so you're bringing it down closest to the ground. That's basically what you're saying.

We've heard testimony that came before the committee from other people—experts, researchers—that clearly reflects that once the removal or the decriminalization or legalization of prostitution is complete, it does not get rid of the problem. In fact, the problem gets worse in the sense that there's no control at all, and when there are efforts even to put local legislation in place, or maybe national, depending on where it is, there is always that element that wants to operate outside the regulation, outside the law.

Amsterdam is one prime example of that, where women don't fit the criteria—maybe they're drug users, or maybe they have some other problem—and they're outside the system again, and the problem persists. There's the illegality of it all; you don't get rid of it, and it's difficult to control.

So I don't know how that matter is going to be addressed. We look at the criminal law right now and we know that around the whole aspect of prostitution—it doesn't matter what part of the world you may look at—there are drugs, there's organized crime, as you point out, Ms. Low, and there are other issues that persist.

So I don't know of a model around that says that just opening up the system to no regulation or no law is the answer. When you see that organized criminal activity, whether it's drug pushers or pimps per se who want to jump into the fray, you're not going to get rid of it, because the money is there and the problems will persist.

• (1000)

**Ms. Katrina Pacey:** In response to that, perhaps I could just point out that many of the problems I've highlighted today and the problems you've identified stem from the fact that this is made into an illicit activity, that this is part of a black market. So I would argue that in large part many of the problems we're discussing here today are a direct result of the fact that a lot of sex work happens underground and is turned into a black market.

The other thing I would say—and I'm not here to advocate for regulation, certainly—is that we need to question why sex work needs specific legislation and why sex workers and the sex industry is not going to be subject to the laws of general application that are in place for all workers. We have labour standards in Canada and in British Columbia that are constantly being assessed and looked at. Why aren't sex workers able to access those labour standards and employment protections, and why would we need to look at that legislation and have specific laws around sex work within that legislation? I don't know that it would be necessary and I think that's an important question to look at, but I would say that we have labour standards in place and that sex workers should have access to those.

It's the same when I'm discussing issues of municipal legislation. We have zoning in place already in Vancouver, for example, where we have businesses, where we have people who work in work-live spaces. We have different zoning and licensing schemes already in Vancouver, and I don't see why we would have to enact...and I'm not going to advocate for a regulatory scheme that creates specific laws around sex work. I believe the sex industry can integrate into the market as it currently exists and into the laws that currently exist.

**Mr. Art Hanger:** I wish I could say that with some confidence. I can't, knowing that the larger community... You talk about stigmatization. The larger community wouldn't accept that. Sitting here as a legislator, I know what my responsibility is too, and that, of course, is to shape the law that will protect to the greatest degree all of those who make up part of the community.

I think there was someone else who wanted to reply to one of my questions. I don't know. I'm certainly interested in hearing what they have to say.

**Ms. Susan Davis:** I wanted to point out what you said, that as an active sex worker there is licensing, there are all of those necessary mechanisms in place already. What needs really to happen is a more compassionate approach to the way this licensing is applied.

The escort services are given licences. For all we know, the person who owns it is in organized crime, but they are never checked. Once they get that licence, that's it. Nobody goes back to revisit it. I can't get a licence. With a full criminal pardon, as a 17-year veteran who's a taxpayer and a voter, I can't get a licence. The process is in place; it's the people who are doing the work who aren't doing their jobs properly perhaps, I don't know. This maybe needs to be revisited.

But the section 213 charge inhibits any efforts that I make to try to make a safer environment for myself, and I'm sure anybody else who's attempted to work in the industry knows exactly what I'm talking about. The community at large, sure, but they've already made the rules. The rules are there, but nobody seems to follow them properly. Nobody wants to acknowledge that the rules are there. We're all talking about removing a law that basically is doing more harm than good.

Your problem is that there will still be gangsters and these kinds of people involved in it, and there will still be drug abuse. I submit that there's that type of thing going on in bars with the liquor licensing, bootleggers, all these different sorts of things. I'm sure these things can be worked out.

**The Chair:** Ms. Smith.

**Ms. Gwen Smith:** I would like to say that if you think that having these laws on the books is reducing any kind of criminal activity... As Katrina said, what you have is a huge black market, a huge unregulated black market, which is euphemistically called "escort services". I cannot but fail to see how this is protecting the greater good, nor do most of the people I speak to—and I speak to a lot of Canadian citizens about this issue daily, from all aspects of life, not just sex trade workers and former sex trade workers.

I talk to the grocery store clerk about these things, and they do not believe there is any reason for these acts to be criminalized. Many people have an understanding that the laws actually criminalize the worker and penalize the worker and are not laws that protect our general population. As we said, our children get information from the news about the sex trade. They get information from the paper. By repealing these laws, we're not going to be making any huge change to what's actually going on, except to give the women who are working there some power to organize and run their own lives and their own money and to be qualified citizens with benefits and rights like any other Canadian would have.

● (1005)

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

Madame Brunelle.

[*Translation*]

**Ms. Paule Brunelle (Trois-Rivières, BQ):** Good morning. I am my party's critic for the status of women. At the outset, I would like to congratulate you for so generously taking on the issue of the status of women. A few people have talked about the equality of men and women, as well as the endemic poverty in our society, which has put us in a terrible situation.

Today you have introduced many new aspects to this issue. I have some questions for each of you. I will begin by asking some questions in order to get a better understanding of the reality of women's lives, so that we can then look at ways to change the laws.

My first question is for Ms. Pacey. You said that the way we protect prostitutes from pimps was inadequate. Moreover, other witnesses have said that very few prostitutes had pimps. I would like you to clarify that for me.

I have a question for Ms. Gibson. You talked about aboriginal women, whose situations were particularly difficult. We have heard very little about this at the committee. I would like you to explain this situation.

Ms. Bowen, you said that you are trying to provide alternatives to those women who wish to leave this lifestyle. I would like you to explain what you do in that respect.

At another point, I will ask the other women some questions.

[*English*]

**Ms. Katrina Pacey:** With respect to the number of sex workers who work under the control of pimps, I can't really speak to the numbers because I don't have this data or any information. I think there are people here who could more easily speak to this issue.

The point I wanted to make was that by criminalizing sex workers and making the market a black market you put sex workers at odds with police, and then they have a more difficult time accessing police services and police protection. They're in a difficult relationship with the police because they're involved in an illicit market.

So Pivot's perspective is that by decriminalizing or repealing the sections of the law, sex workers will have a greater access to the sections of the Criminal Code that are there to protect them.

I pointed specifically to the sections in the legislation on assault, to the extortion provisions, to provisions around harassment and issues around threatening. Protection under those sections would be more readily available—and the police services would be more readily available—if sex workers were not treated like criminals in our society and if the market itself was not a black market in which they were participating.

**The Chair:** Go ahead, Ms. Gibson.

**Ms. Kate Gibson:** You asked me about the number of aboriginal women involved in street-level prostitution. Is that what you wanted to know about?

● (1010)

[*Translation*]

**Ms. Paule Brunelle:** Yes. Why is their situation more difficult? You said that aboriginal women are facing a more difficult situation. Are they doubly marginalized because they are aboriginals? Do they experience the problems facing Asians? What problems are you talking about exactly?



[English]

**Ms. Kate Gibson:** I think the problem for aboriginal women is in many ways the same as it is for other women. But, yes, they're discriminated against because they're aboriginal. They're also a huge percentage of the population of women who work in survival sex. Probably somewhere around 60% of the women who come to our drop-in centre are aboriginal.

A lot of them aren't from Vancouver itself. They come from all over the province and from out of province. They've migrated for one reason or another or in one way or another, and they certainly suffer from all kinds of abuse that originates within their families as a result of different things that have happened with aboriginal people, including residential schools. So there are problems with education, problems with abuse, with drug use, and there's all kinds of discrimination against aboriginal women.

We have a program for aboriginal women who work in the sex trade; it's the only one of its kind in Canada. I think that's a problem.

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

**Ms. Raven Bowen:** Yes. You talked about what we do as far as alternatives. We try to see individuals not for their deficits but for their assets, so the first thing we do is an asset inventory. Other people talked about transferable skills. Women, men, and transgendered individuals in the sex industry have a breadth of skills. They have an abundance of skills because they've survived. They are resourceful, they are intelligent, they have skills around public relations, de-escalation, negotiation—all of those skills.

What we do is find ways within PACE Society to employ them and to advocate in the community that they are employed and provided with skill development opportunities and livable wage opportunities. That's some of what WISH and PACE did when we created the Mobile Access Project through the Vancouver agreement. Our priority was hiring sex workers. Originally it was open and we hired 15 sex workers.

Can I just follow up on something that Art said? He talked about how some women are always on the outskirts. That's part of the problem with creating alternatives. We can't address poverty by ourselves. I don't think it's ever been tried where the industry is self-regulated—that means regulated by the individuals who are running it—and poverty is also addressed. When you're talking about individuals who are addicted, they are disabled. We need treatment options outside of abstinence and avoidance-based programming. We need other treatment options that reduce the pain of detox and withdrawal. So while we travel around the world, let's look at some alternatives like Ibogaine, like rapid opiate detox, like those other programs that would facilitate people getting rid of their substance abuse so that we address poverty and the disabilities and the illnesses. And then we can move on to deal with the other issues.

[Translation]

**Ms. Paule Brunelle:** Ms. Kaun, from PEERS, you said that sex workers could become independent workers. Would you suggest any model or operating mode?

We have heard about cooperatives. Do you see this as being like the case of other independent worker who may run her own business out of her home? Could you explain how you see this working?

[English]

**Ms. Kyla Kaun:** I don't believe I actually mentioned co-ops and stuff like that. I think there are already escorts in the newspapers who work independently and pay their taxes and do those sorts of things. I focus more on exiting and recovery at our organization. We're trying to really help people move out of sex work and make choices in their lives that they're happy with. I think there are better people to answer that question.

•(1015)

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

**Ms. Susan Davis:** I actually work that way. I run an ad in the paper and answer my own calls and book the calls myself. It's a bit tiring working 24 hours a day. I probably look a little haggard this morning.

It's very simple: you go, you put a little ad in the paper. As I said before, the licensing processes are already in place. You don't even need a licence to put an ad in the paper. I answer the calls, the people come to my house, or I go to them.

I do work with a few other girls and they work from their places, or perhaps if they need a double, we both go to the same place together. Basically, it just works like any co-op would work, like any union, like any sort of a collaboration. You know? Everybody helps each other; somebody mans the phone, somebody takes the call. It's very simple.

**The Chair:** Thank you.

Lauren.

**Ms. Lauren Casey:** I'd like to speak on this, because I have worked independently as a co-op with another woman. For me personally, it was the safest and most lucrative way to go in that we supported each other. We didn't work out of our home, but we worked out of a rented room at a hotel. Through the years that I did that, I found I had more agency and choice to see who I felt I wanted to see, as opposed to who was pushed at me. When somebody comes into a massage studio or an agency and they pick you, that's it, you have to go. I would have to take that individual and not really have a choice. So I found it to be very empowering.

I think there are people who do choose to work in the industry; I was certainly one of them. I don't want to be deemed a victim by any means, and I don't think anybody wants to be called a victim. I think it's important to take a look at that and to realize and recognize that there are people who do quite well and are quite willing to work and want to work.

I think it's important to really look at it as a business. I certainly understand survival sex, which is a whole different thing. I'm not speaking to that, but I'm speaking to sex work as labour.

Thank you.

**The Chair:** Ms. Davies, for seven minutes.

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

First of all, I'd like to thank everybody for coming today.

I wanted to pick up on what Sue was saying, because I really understand the sense of frustration, and maybe the cynicism or mistrust, that people have. It actually isn't that we've been studying this over and over again; there's been virtually no public debate for 20 years since the first parliamentary committee, the Fraser committee, in 1985. It's as if we've had two decades of people not being heard. But I really understand where you're coming from when you say you maybe feel a bit mistrustful. This is a very formal setting, and we are trying to conduct hearings in a more informal way in camera, not in public. We've already done that in other places, and it's been quite incredible to hear directly from sex workers about their experiences. I just wanted to say that, because I know where you're coming from.

In terms of the travel, I think it is really helpful for us to know what is working or not working in other places that have gone through law reform and other changes. I think it's really important that we have a made-in-Canada solution. But to know what's going on in other places and to hear those perspectives is actually very helpful to us. I hope people don't see that as a useless exercise.

A number of you talked about having one meeting now on a moratorium, particularly on sections 213 and 210, and then involving sex workers in whatever debate arises. A number of witnesses have said so across the country, and I certainly think that's very, very important, because it is a complicated issue. We haven't begun our deliberations yet, but I hope it will be something we consider, because we've heard it from many, many witnesses. We really do need to talk to the experts, and they are the women and men and transgendered people who have the experience.

The question I have is a bit general, but it will help get us more into it, I guess. If we did repeal the law—these sections that you've all spoken about—do any of you want to take a guess...?

Katrina—or maybe it was Raven who spoke a little about it—what would change out there in terms of what is on the street now? Do you people think we would see quite a shift? We're told that between 5% and 20% of all prostitution in Canada is on the street. First of all, it's very revealing that 80% or more is not on the street, but all of the attention of course goes to the 5% to 20%. Supposing we were to repeal these laws tomorrow. What would happen out there? Do you see a shift taking place? What would you see as the ideal situation?

Some of you have talked about municipal regulations. I think that's a possibility, but then I wonder, what does that mean? We would have something in Vancouver, and then in Halifax it would be very rigid, where they would say, "No, no, no". Is there some national thing that still needs to happen, or do we think it is something that should just be dealt with locally?

Thirdly, if anybody has any information on what you do think is working somewhere else, it would be very helpful. If you've talked to people, whether from Australia, New Zealand, Europe, Sweden, or wherever, if you've got information you'd like to share on what you think has been working from your perspective, it would be very helpful.

Maybe a representative of each group would like to respond to those questions, someone from PACE, PEERS, and SWAN.

● (1020)

**The Chair:** Katrina, do you want to go first?

**Ms. Katrina Pacey:** Sure.

I think it's very interesting to look at what's happening in New Zealand as an international model. Obviously their legislation is quite recent, having been enacted in 2003. The legislation there makes some very critical points that I think PIVOT supports.

One critical point is that the legislation states essentially—and I'm paraphrasing here—that an individual can't go before a financial aid worker or a social worker to apply for welfare and be told that they do have a professional opportunity, and that's to engage in sex work. We really support that as a piece of the legislation.

We also are very supportive of the aspect of that legislation that talks about what it really means to procure in an exploitive or an oppressive way. If you read that section in detail, it's very interesting in the way it's worded; it's very specific. The criticisms we raise about the procuring section in our code we feel are addressed in the New Zealand legislation.

It's also open and provides many opportunities for different forms of businesses to arise for sex workers who are professionals and want to engage themselves in different types of business structures. There are small, owner-operated brothels; there's an opportunity to get a licence to run a larger-scale business. So there are different opportunities in the flexibility within that legislation.

**Ms. Libby Davies:** But there is some regulation. A lot of people have said, "We don't want any regulation", so I've been trying to think what this looks like. Some of you have said to rely on other laws, just as you would for other work. But it sounds as though in New Zealand there is some.... If you were opening a restaurant, you would have to get a licence; if you were opening a brothel, you would get a licence. Do you see that as something you think is working in that model?

**Ms. Katrina Pacey:** I think any licensing regime that's put into place needs to be looked at really critically, from both the perspective of the community, as Mr. Hanger has suggested, but also from the perspective of sex workers and sex worker businesses. Sex workers have a lot of needs that they need to have addressed in any form of regulation—in the current licensing scheme, and so forth. There are major issues of privacy, and there are major issues about what it means to be registered at city hall as a sex worker. That has huge implications in terms of their current situation, whether it be with respect to their children or with future opportunities in life, because of the levels of discrimination.

I don't have all the answers, certainly, about what form of regulation, if any, might be successful. What I would say is that we need to really understand the concerns, that sex workers need to be really involved at any level, and that the federal government at this point just needs to open up the possibility for that dialogue to take place.

The last point I want to make about the New Zealand legislation, because I think it's an important one, is that in it there is no ban on street-level solicitation or communication, or whatever you want to call it. We both need to look at what's happening in communities in New Zealand to see if that has been harmful. My understanding is it has not been, that it has opened up community dialogue and community interest in sex workers around the question, "Is this working for us?" But it has been a dialogue, as you said, that needed to be opened up; it needed to be discussed. Sex workers, because of the legislation, are empowered to have a strong voice in that context. They have rights; they are able to assert their rights as professionals. I think it's really important, in a decriminalized setting, that the opportunity be in place for sex workers to say, "We're workers and we're here to assert how we would like to run our own profession."

•(1025)

**The Chair:** Does anyone else wish to comment?

Go ahead, Gwen.

**Ms. Gwen Smith:** I just want to say that I find this assumption that somehow sex work needs to be regulated in a way that any other service industry doesn't need to be regulated a little bit bewildering, actually. I'm not quite sure what the premise of that assumption is.

**Ms. Libby Davies:** Well, I'll give you an example. If we go back to Raven's example, which is in Vancouver, there was an attempt to change zoning to include allowing you to live and work in the same place. The council ended up not doing it. If we are looking at repeal of the law, and if it happens, I just really want to know from you—I don't have any assumptions about it—what it is you would see as the ideal situation. Is it no regulation, and then if a sex worker wanted to continue to work, how would it happen? Would it just happen? Can you describe it? How would you see that?

**Ms. Gwen Smith:** I think what the majority of us at the table are saying is that the regulation doesn't prevent sex workers from working; it allows other people to profit from it, having the upper hand in negotiations—it puts the sex worker at risk—but these laws are actually not having any of the supposedly beneficial effects, such as reducing the occurrence of prostitution. These are supposedly beneficial effects.

**Ms. Libby Davies:** Okay, but I'm not talking about prohibition. I'm not speaking about prohibitionist regulations, but regulations in terms of licensing or...

**Ms. Gwen Smith:** I've given some thought to the way gambling is controlled. I like the idea of... Some people do want to have management. They might want to work independently. They might want to work only with other sex trade workers, but they may want some form of management along the idea of a non-profit model.

Then you get into trouble, because how do you decide what the manager makes? You see, the manager could make an increasingly large amount of money every year, and then you get back into the

same situation you have right now, where people are being taken advantage of.

On the gambling, I've applied for grant money through gaming, so I've read those regulations. Talk about bewildering. It's just so dense. We already have the majority of people who are affected by these laws not understanding what the laws say or even that the acts they're actually performing are illegal. I don't know that having any increased legislation, no matter how good it is, is actually going to decrease the criminalization. I guess that's the problem.

I think for people generally, in whatever circumstances they're in right now, if you were to take these laws off the books, the thing that I see would change the quickest is that people would have more time to negotiate and they'd be able to do that openly, and they'd immediately have more power over their safety and their income.

The other thing I can see—I'm thinking of Victoria, where I come from—is that people working on the streets would move. They would choose to work in different areas. They might choose to work inside for themselves, if they could rent a place or if they could get together to do that. I think those two things would happen really quickly.

•(1030)

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

Susan, did you have a quick comment?

**Ms. Susan Davis:** Ultimately, I think the best thing would be to have somebody dedicated to making sure the process is watched and followed properly. Go and look at these escort services after they're licensed. Give individuals licences. Take these laws off the books, and it will basically open up the safest options for people in my business.

**The Chair:** Okay, thank you.

Dr. Fry.

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

I want to thank everybody for coming, because this is probably the first set of hearings that I've been at where there has been a really comprehensive look at the issue. By "comprehensive", I mean we're starting with prevention and moving all the way to helping people who wish to exit and have good exit strategies and prevention, as WISH talked about. We're also dealing with things like looking at issues of poverty, sexual abuse in the home, etc., at ways of helping women to exit if they so choose, and at how we help them to do that, as we see PACE doing. But we're also dealing with the fact that for some women who may so choose, we need to find a safe way for them to be able to carry on. So I think the comprehensiveness of the group of people who have been here has been extremely important.

Cynthia and Davi, I was particularly interested in what you had to say about immigrant women and trafficking. We have asked questions in lots of places about trafficking, but we haven't had a lot of people who have said that they really understood or knew anything about trafficking. I think you were the first ones to have really put your finger on some of the trafficking issues. I think those issues are of concern to us because trafficking ends up with women in prostitution, on the streets in unsafe circumstances, and the whole issue of deportation is one that I was interested in.

It seems to me that even in Canada we have a diversity of ways of dealing with this issue, in every different province, in every different city. There are some things that go on in Victoria, for instance, and some of the rules that we've heard Vancouver speak about.... What I've noticed when we've looked at other countries is that the solutions to or "ways of dealing with" a comprehensive issue range from prohibition in some places to complete legalization in others, and in between there are certain forms of decriminalization.

The models like the one in Sweden concern me a lot, because they have decriminalized the woman but they have criminalized the john. What this creates is a very interesting situation in which the woman cannot go to seek any help at all, because she is participating with a criminal in a criminal act and is therefore completely boxed into a difficult situation.

I don't know if you know that the Canadian Medical Association—and I'm coming at this from the particular position of a physician who has had many patients in the past who were in the sex trade—sees this as one of the most important crises in public health. In public health, you look at a crisis from the basis of what you've talked about, all the way from prevention to ways of helping people to exit, and into ways of safely carrying on what other people are doing.

And when I say "safely", I'd like to hear from you about the issues not only of safety for women in the sex trade—because I think this is something that's very important—but how communities in which women do carry on the sex trade feel safe as well. In other words, there are many communities that are really concerned, and that creates a NIMBY syndrome. How do we deal with those real concerns of communities, as well as the concerns of having women who are able to practise within this profession safely? That's what I would really like to hear from you.

I'd also like to hear from you on some of the prevention solutions you have. I know poverty is a huge issue, but I would like to hear something on the issues of safety for women and for communities at the same time. Because women in the sex trade are members of communities too, we need to see them as members of communities, so how do we deal with this issue in a way that will deal with the whole comprehensive range of solutions?

I agree with what Katrina and most of you said. Dealing with legislation alone is just actually focusing on cherry-picking what is a bigger issue that we need to look. I want to hear about the bigger issue, not just always and only about the cherry-picking, about legislation as an only solution.

So it's an open question, but I'm hoping I can hear from you on it.

**Ms. Cynthia Low:** One thing I'm puzzled by through the work I do is that we talk about a service that women, men, individuals are providing, but we don't talk about the customers per se, and the customers are people in our communities.

When Art was talking about our communities' concerns.... These are perhaps also customers who in some way are not owning up to the use of services, as consumers. I don't really get it. I know in my community that there is incredible denial that it exists, as though women seem to be working in the sex trade by themselves. I don't know how to bridge that. Where there is a shift in recognizing if there is a service or consumer relationship, then that needs to be talked about more openly. We can't talk about women as providers of service without recognizing the consumer part of it.

Part of me thinks, well, if my community was a little more open about the purchase of sex as a practice, then perhaps the stigma around working in the sex trade would not be that severe, and perhaps there would be more opportunities to talk about legislation, like the construction industry, like real estate, like any other kind of economic machine. That's something that resonates for me.

• (1035)

**The Chair:** Does anyone else wish to comment? Kyla and then Raven.

**Ms. Kyla Kaun:** There is actually an initiative that's going on here in Vancouver, trying to come up with ways for community and sex workers to exist together. We're looking at various things like educating the community and educating sex workers. It's in its very early stages, but we're quite hopeful. This is the first time a community has come forward and said, you know what, instead of just trying to push them out, let's look at a way to try to live together.

It's exciting, but it's just in its very beginning stages. Hopefully we'll be able to give you more information on that down the road, but there are initiatives that I think are beginning, and I think communities are changing their perspectives in some senses.

**The Chair:** Raven and then Kate.

**Ms. Raven Bowen:** It was really interesting to see how the displacement and movement of sex workers...the community saw that happening and the same women would be cycled back into their communities, and bodies were piling up and all those things. The community itself, meaning the Business Improvement Association and the residents association, came together and approached the Vancouver Agreement and said, listen, we have to find a better solution instead of moving women around; we have to find a way that we can co-exist, because sex workers are a part of our community. It was the first time in my tenure in this issue that residents didn't believe women were hatched on street corners, because that's usually the thing.

It's going to be a really interesting exercise to see what happens with sex workers collaborating with the residents and the businesses in this community to create a larger community safety strategy.

Before, when we were talking about what would be the immediate effects of the repeal of section 213.... Most women don't want to work on the street. As other people have said, regulating it may be making a cooperative structure for individuals to access, but a lot of times it's just making it safer to be independent and working off the street.

If sex work is seen legitimately as work, then sex workers could eventually form professional associations and maybe a few years down the line move to that kind of more...they could be like dentists. But right now we just need the legislation lifted so that the sex workers themselves can benefit from the money they make and support their families from what they earn. That's pretty much the big piece here.

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

Kate.

**Ms. Kate Gibson:** I was just going to say that it's the municipal level, which you talked about. We do have this living in the community project that we're working on. It was instituted by the business improvement associations and three neighbourhood houses, and then they included the sex worker organizations a little later. I think it is something we can do at the municipal level that really doesn't need to be regulated federally in any way.

I think if we do lift section 213...and one of the concerns with all of this is policing in our community and the need to increase policing in our community. Well, if we don't have people spending their time looking to bust women for communication, we have policing that can be doing a lot of other things to protect the women and men and transgendered individuals in our community who are involved in sex work, street or off-street. I think it's really important that we focus on the things that will happen at the municipal level.

• (1040)

**Ms. Raven Bowen:** Can I just say one more thing?

**The Chair:** Quickly, Raven, because we're out of time, I'm afraid.

**Ms. Raven Bowen:** I would like to speak to the municipalities. They collect licensing fees, right? So we can also look at that in the various municipalities and see where we could best utilize those dollars. They now say they use it for policing, but why police a licensed venue? So we just have to figure out how those funds are going to be used.

**The Chair:** Thank you.

It's three-minute rounds. We ask for direct questions and direct responses, please.

Mr. Hanger.

**Mr. Art Hanger:** You made two comments, Lauren Casey. You went into prostitution by choice and you did not consider yourself the victim.

Kyla, on your comments, you mention it is sexual slavery if you're not in it by choice and that the punishment for anyone who is putting someone else in that position should be severe, especially if you're under 19 years of age. I certainly do agree with that. I think the punishment should be severe for anyone who is subjecting another to procuring, if they're living off the avails of a youngster, or if they are utilizing that person in some form of a bawdy house. So we're still

caught in a bit of a dilemma. If you want severe laws that are going to regulate and deal with abusers like that, then they must be criminal and they must be national, and it doesn't take away from the fact that someone else may wish to be in prostitution by choice.

So what I understand you're saying is this. If you're under 19 years of age, then the laws probably should be more severe than they are right now for anybody violating any of those portions of it.

**Ms. Kyla Kaun:** Also, I think when we're talking about trafficking...and I mean international and regional trafficking, because women are moved around Canada to keep them away from their families and their friends and to keep them in sex work....

I think what's most important as far as our organization is concerned is that if you deal with the root issues that bring a lot of people into sex work, like poverty, like addiction, like abuse and those sorts of cycles, then the people who are involved in it are going to be involved in it because of personal choice. So for us the most important thing is that the root issues continue to be addressed, that the social services are in place to help address those issues, and of course, anything to do with youth...absolutely.

I think we just want to make sure it's not a matter of removing the law and then having all of these people fall through the cracks, and then no longer having the support services available to them if they do choose to try to change their lives, because a lot of them got into it for issues that weren't based on personal choice. I think absolutely any coercion to sex work is unacceptable.

• (1045)

**Mr. Art Hanger:** It's exploitative. It's—

**Ms. Kyla Kaun:** Absolutely, and that is for adults or youth as far as I'm concerned. Nobody should have to work in sex work. Your body is yours and it should be your choice what you want to do with it. That to me is the point of where it is acceptable. If you don't want to do it, then you should never, ever have to do it, period.

**Mr. Art Hanger:** Now, how far out do you want to carry that?

This is another question that has come up, not just in this group here, but it has been mentioned several times this morning that the so-called sex industry should be looked upon no differently than somebody in construction work or selling real estate, or a dentist, a doctor, a policeman maybe, or even a lawyer, and that they should be able to be recognized without stigma for selling their bodies for money, women or men. Do we carry it that far? Is that what everyone here is advocating?

**Ms. Gwen Smith:** If they're of age, yes.

**Ms. Susan Davis:** By the very nature of a commercial endeavour that you're talking about—you're selling or somebody is working—you get paid.

A police officer is selling his body for money as he goes outside to do his job. It's the same thing. He's a person. It's physical labour. In construction it's the same thing.

Because of the nature of the work, you have a totally different outlook on it. Yes, what I do is different. Is what I do necessary? Definitely.

**Mr. Art Hanger:** I think that's a giant leap, to even bring it close to a comparison like that.

**Ms. Susan Davis:** Why is it a leap? It's only a leap because you make it a leap.

**Mr. Art Hanger:** There is still a moral law. There's a moral dimension here.

**Ms. Susan Davis:** I practise safe sex. I enjoy sex. What is wrong with that?

**Mr. Art Hanger:** So do I—

**Ms. Susan Davis:** Good. I have a job for you.

**Voices:** Oh, oh!

**Mr. Art Hanger:** —but there are limits.

**Ms. Susan Davis:** If I wanted to be a policeman, I have would been.

**The Chair:** Ms. Bowen.

**Ms. Raven Bowen:** It's hypocritical, because we are a society that sexualizes everything. From the time you're born, you're sexualized.

How come the big corporations can sell sex for jeans, or you don't even know what they're selling, and she can't sell a beautiful blow job? What's wrong with that? Why is there that kind of regulation on her, but there's no limit to what the corporations can do to exploit our children, to do the heroin chic?

**Mr. Art Hanger:** Can I answer that question?

**Ms. Raven Bowen:** Oh, sure. Go ahead.

**The Chair:** I think we'll go on to Katrina, and then we'll have to go to another round. If you want to pursue that subject, you'll have a second chance.

Raven, are you finished?

Katrina.

**Ms. Katrina Pacey:** I'm not sure I can follow that answer, but I think we need to acknowledge that we live in a society where people do have moral, political, and religious objections to sex work, and there's no question that we have a diversity of opinions across Canada on all sorts of different issues.

Those objections are never going to be resolved. There will always be people who disagree with it, and the bottom line is that we're a Canadian society that has decided we agree with civil liberties and we want to protect liberties. We're also a society that has agreed that adults can engage in consensual sex. The exchange of compensation should not affect the right of an adult to engage in consensual sex and sexual activity.

I would also like to make the point that many of the sex workers we speak with and work with in our projects are very clear that they don't feel they're selling their bodies. They're selling sexual services, and that why it's very similar to what maybe a police officer does or someone who is a registered massage therapist, in providing physical services.

Sex workers we work with want to distinguish between the notion that they're selling their bodies to anyone. What they're selling is their sexual services.

**The Chair:** Thank you.

We'll move on to the Bloc Québécois. Monsieur Ménard.

[*Translation*]

**Mr. Réal Ménard (Hochelaga, BQ):** Thank you, Mr. Chairman. I wish to inform you that I will be raising a point of order at the end of the meeting.

[*English*]

I'm going to speak in French because it's the romantic language.

[*Translation*]

A few years ago, I had a bill drafted for the purpose of decriminalizing prostitution. At that time, I was suggesting that prostitution be decriminalized for a trial five-year period, because I fully agree that we will not be pursuing our objectives by maintaining the criminal provisions.

At the same time, what is bothering me is that I am under the impression that some sex workers do not want to have any rules. Personally, I think that we have to provide for rules of the game. If sex work is a legitimate job that can enable some people to achieve their objectives professionally, we need to have some playing rules. This cannot be done anywhere, any which way whatever. We need to establish some rules of the game.

Some of you have said that you do not like the Swedish model. My bill called for a licensing system, for bawdy houses and a full slate, not of control measures, but rules applicable to both the clients and the sex workers.

To what extent would you be prepared to accept such a model? We cannot simply do away with the current system without any alternate measures. We were told that you did want designated zones or bawdy houses. However, we need to have something which will enable us, I repeat, to establish rules. If you do not want to Swedish model—I believe it was Raven who talked about that— would you agree to a system of bawdy houses which would really be recognized by citizens, where you would be required to pay taxes and would be entitled to various social programs?

• (1050)

[*English*]

**Ms. Raven Bowen:** I haven't had the privilege of reading what you wrote. As long as sex workers were a part of developing this so that they could speak to what those regulations should be.... Yes, I do agree that there need to be some regulations, but in the beginning let's just list the laws, see what happens as sex workers have organizations that support them, and make sure we're still—

[*Translation*]

**Mr. Réal Ménard:** Would you agree to bawdy houses and paying taxes?

[*English*]

**The Chair:** Réal, can you just slow down a minute?

[Translation]

**Mr. Réal Ménard:** Would you agree to having a system of bawdy houses regulated by the state, and would you agree to pay taxes, so that you would get thorough recognition as citizens?

[English]

**Ms. Susan Davis:** These laws are already in place. Madam Cléo's is a bawdy house, the Platinum Club is a bawdy house. The Swedish Touch is a bawdy house. These licences exist. They already pay taxes. They do pay taxes. I pay taxes. I pay income tax and GST.

[Translation]

**Mr. Réal Ménard:** But it isn't legal.

[English]

**Ms. Raven Bowen:** There are sex workers who have left the industry and Canada Customs and Revenue Agency conducted forensic audits. They've had to pay taxes on assets the pimps and organized crime put in their names when they were working some 20-odd years ago. So there is a way of taxing sex workers. All of those things are already in place.

But if you want to look at some regulated, licensed bodies, the state will benefit, for one, but that cannot be the only option. We have to make sure we're providing options for women to work independently, for women to work two or four to a cooperative brothel, and for those who want to work in state-licensed venues, they should still have an opportunity to do that. But ensure that whatever model we choose there is inherent choice for the sex worker.

**Ms. Susan Davis:** There can't be only one solution. If you want to work independently and run a little grocery store, then you do so. If you want to work for Superstore, then you do so. It's the same type of thing. There are different levels in every industry.

**Ms. Katrina Pacey:** I think a point I made earlier, which perhaps I'll just reiterate, is that we already have zoning and licensing schemes in place in Vancouver. I don't see why, particularly with zoning and other municipal-level legislation, the laws of general application would apply to—

[Translation]

**Mr. Réal Ménard:** I'm not talking about that. There have been some decrees from the Supreme Court and various courts. The municipalities cannot regulate criminal law. There can be no transfers from the federal government to the municipalities.

We were talking about zoning. In my opinion, zoning does not do very much to resolve the problem. You cannot say that because there are zoning by-laws... I am not talking about that. I agree that there should be decriminalization. I agree that it is possible to fulfil one's own self professionally through sex work, but you cannot ask to be recognized as citizens and not agree to regulations.

This morning, you told us that you do want regulation and that you are prepared to look at certain models. I know that there is no one solution, but bawdy houses, as they were defined in my bill, do not exist, because they are illegal. Sections 210, 211, 212 and 213 of the Criminal Code do not allow them, and municipalities cannot regulate bawdy houses. They come under federal jurisdiction. Do you agree with that?

• (1055)

[English]

**Ms. Katrina Pacey:** No, because what you need to look at is the pith and substance of the legislation. Municipalities can enact legislation as long as the intent, the substance, of that legislation does not have a criminal law purpose.

So you're right. Municipalities are not going to have within their power the opportunity to prohibit bawdy houses. They are going to have within their power the ability to enact regulation. I really want to be clear that I'm not here to say that municipalities should jump ahead without engaging the sex work community and enact a whole bunch of rules about how these businesses should run themselves. But what I want to say is in the case you're referring to, the Westendorp decision, it was because municipalities were trying to trump the federal government by enacting something that was in fact a piece of legislation that had a criminal intention, a criminal purpose.

So you're correct, but what we are saying is that bawdy houses should be decriminalized. The law should be repealed, and they should fit within the existing licensing scheme, within the existing scheme that businesses operate in within a municipality.

**Ms. Cynthia Low:** Can I make some comments around the reality of what happens in bawdy houses and our experience of women who are there—these are women we see on a regular basis—and that is, the inconsistencies in how the municipal legislation is perceived and enacted?

If you go to Richmond, there are regulations around what women have to wear, how they have to cover their body, how the room has to be set up. It's different in Vancouver and in Burnaby. In Burnaby, the RCMP—Burnaby and New Westminster do not have their own police force—were going around taking photos of women because they do have to register with the massage parlour they're working for. The RCMP could just come in, take the photos, and say they were doing this for the women's protection in case they went missing. They used the whole missing women issue and confused it with that. They did it under the notion that the women were going to be protected. There was no indication about where those photos were going, how they were recorded, and how their confidentiality was going to be maintained. For all we know, these photos are kept in a binder on someone's desk, and who knows what happens when they move on to other projects.

There is a concern about municipalities enacting legislation around that. Women tend to work across municipal boundaries. That is a reality. The onus is then on them to know what kinds of legislation the municipalities have enacted. In our situation, women don't even know what the federal legislation is, much less what kinds of clothes you have to wear when you go to work in Burnaby versus Richmond versus this, that, and the other thing.

So it's a real problem when it comes down to the ground and women's experiences in these kinds of situations. I don't have a solution. I just know what the struggles are for the women we've come across.

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

Gwen.

**Ms. Gwen Smith:** This is a rhetorical question and it's got a lot of pluses and minuses. How come we're not talking about licensing the johns? How come we haven't talked about that?

If you want to talk about taxation, there you go. If you want to talk about safety, there you go. The effect it might have on the women working in the sex industry—the decrease—because of the denial that goes on that johns have anything to do with it, which we've just all partaken in by discussing it without ever thinking that maybe we should license them....

**The Chair:** We've expended our time by a considerable period.

Ms. Davies.

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

I think the last go-round we had was an example of how complex this subject can become. I agree with Sue that these establishments exist, but their legal status and what's actually going on are very grey. I think that's part of the question, even in terms of the future status, openness, or licensing of escorts, massage parlours, and so on. I think that's very important.

I have to say I am worried about this municipal angle. It's one thing to talk about zoning. Right now in any municipality we say you can have a high-rise here, you can have a commercial business, you can have hairdressers—that's all done by zoning. Maybe that's an appropriate model to apply. But beyond that, would we get into an incredible patchwork that would be very discriminatory across the country? I think that's one thing we've got to think through.

In actual fact, we had some evidence from the justice department on the gambling issue that one of you brought up. There is a way the federal government can say certain things are still illegal, but they can create a legal space for an activity to take place, subject to a provincial or even a local regulation. So that's another possibility as well.

The point I want to get to is that sometimes it is easier to figure out what you don't want. I think a lot of people know what doesn't work—and you've told us today—and that's maybe one place to start. A number of you have said—and I think this is very important—that as we proceed you need to be involved. The question I have is how would you like to see that happen? The more specific you are about that, the easier it will be for us to respond.

If there were this idea of a moratorium while things were being figured out—I don't know if that's feasible, but let's say for the moment it's a possibility—how would you see yourselves being involved? There is the national coalition and the B.C. coalition. How do you actually see that debate taking place including sex workers, where you're actually working out some of these questions? How long do you think that might take? Is this something we'll be looking at for years, or do you see interim steps? This is where I'm trying to get. How do we move this along?

•(1100)

**Ms. Susan Davis:** There should absolutely be interim steps. It's a human problem. Everybody is going to have individual problems and needs, especially when it comes to survival-level sex work. There's a reason why you're that desperate. A moratorium would just reduce the harm against the people who are the most vulnerable in

my industry. They're drug addicted and abused. For whatever reason, they've landed in the situation they're in.

Rather than running away from the police because they're coming to sweep them off the corner tonight—I've been involved in these sweeps and they're horrible.... Perhaps as the police do their rounds they could say hello to everybody and take their pictures. I didn't mind them taking my picture when I worked on the street. It sort of made me feel a little better. In case they found me, maybe they'd know who I was. They could record your tattoos and that kind of thing.

At least then the dialogue would be there. The women and the transgendered or male sex workers could have a dialogue with the police and the people they see every day. I think that's just a far more healthy environment to help resolve the issues that have led them to the situation they're in, rather than compounding their problems with a charge. As I pointed out when I spoke to you earlier, that charge is still impeding my life, even though I have a pardon and even though it was ten years ago.

**Ms. Raven Bowen:** We do have the B.C. Coalition of Experiential Women, and a national one, but we also have a number of peer-based and sex-worker-friendly organizations throughout the country that can, if resourced, support women in self-advocacy. That means in each of the five regions we can have a sex worker caucus that's privy to the information you get as you travel abroad, etc. We can take that information, canvass sex workers, get some opinions, and maybe have some sex worker research done by sex workers. Then we can come back and cull that information and develop a larger strategy. Sex workers are only difficult to engage because we're underresourced. If we're able to keep our services open, we can continue with sex-worker-driven initiatives like the coalition. We can definitely be—and we want to be—part of a process like this. So we're here.

**Ms. Lauren Casey:** I agree with Raven that it would be relatively easy. To include us at the table and those who are still working is crucial, because times do change. When I was working it may have been different from how it is now in certain areas. The representatives of agencies and the workers have the connection to the people who would be able to be present. So to include them in preliminary discussions, or anything of that nature, could be easily done. As Raven said, we could do it through networking across Canada, through talking to various organizations. We have men at a PEERS component. Include everybody at the table.

•(1105)

**Ms. Cynthia Low:** The notion of inclusion is really great; it's really valuable. In our experience with our communities, the peer model is a struggle because many of the women just want to get out of the business. They don't want to have anything to do with it. They want to get on with their lives and do whatever. It has really been a struggle for our organization.

We have the philosophy around peer-based work, but often women, particularly immigrant women, may have other kinds of priorities in their lives. There might be language issues that mean they can't participate, or economic issues. We're speaking now in Vancouver. Where are the first nations women in terms of representation when we talk about other communities?



It's a challenge, and more work needs to be done. We are a voluntary organization. We don't have the capacity. We're too busy engaging immigrant services to even consider thinking about sensitivity to sex work. Our communities are very far away from having the information or motivation to speak on these matters. They're important because they're going to affect the larger discourse as communities, as immigrant communities, and as voters. That needs to happen. I don't see it happening right now. It's separate.

Immigration issues seem to be held off in some other space. Women who have perhaps been exploited through the immigration process are going into massage parlours because they can't work with their own credentials. They can't work because they don't have Canadian experience. The cost of migrating here has been extreme, not only in terms of the fees they had to pay. The whole relocation has been expensive.

So these are some of the circumstances. Poverty and economic reasons are primarily why women are there.

**The Chair:** Thank you.

Dr. Fry.

**Hon. Hedy Fry:** Actually, Raven asked a question that I think is at the heart of everything. It makes sense, when we look at what other countries have done, that we find out from the sex trade workers themselves what the impact of those bits and pieces of legislation and various solutions that have come about has been. Whether it's Sweden, New Zealand, Australia, England, or Germany, it makes sense that we actually find out from the workers themselves.

I think there's a tendency quite often—and again this comes from practical experience as a physician—for everyone to research to death everything that's going on from an academic perspective and then tell everybody whether it worked or not. They come up with enormous graphs and all kinds of percentages that tell us, yes, it's worked, such and such a percentage is no longer in the sex trade, blah, blah, blah, whether or not what has happened in certain cases is that they've been driven more and more into underground work in which people are afraid to speak.

What I wanted to talk about and get a feeling from you about is... for me, when we've gone around the country and when we've heard from different people—and even in my past experience as a physician, you're absolutely right, we don't talk about certain services, which many people wouldn't want to do because they view them as being terrible. This is a thing about stigma. Until we get on with dealing with the stigma, suggestions and solutions that governments may want to come up with will meet with very poor results, mainly because no one wants to accept that there are women who can choose to do this.

Once you've dealt with the exploitation, once you've dealt with poverty, with the addictions—and all of those kinds of things that take away women's choices so they have to go into this particular trade—once we've dealt with the prevention, with the rehabilitation treatment for substance abuse, all of those kinds of things that many of you are doing here, we're still left with one thing. If a woman sits at this table and says she chooses to do this, there is a raising of eyebrows.

I have heard people suggest that...are you trying to say we should equate this to the work of a plumber or a construction worker? We're back to the biggest thing. If government tries to do the right things and to make appropriate solutions and to talk with the sex trade workers about what the appropriate solutions would be, including legislative ones, there is the idea that none of the workers is worthy of being spoken to, or worthy of having intelligent ideas, or worthy of speaking on this issue, because inherently the stigma is the biggest problem.

We need to talk about how we deal with this. No one talks about it around these tables. Everyone asks a little bit—nice questions—about the solutions, etc., but the stigma is the biggest problem. When there is a huge amount of discrimination against the work itself, how can you ever find reasonable, realistic, and practical solutions that will deal with the complexity of the issue? Everyone is afraid, including government, to say this is what we must do because we're going to get newspapers writing nasty little editorials and all kinds of things basically saying, how dare you spend our money dealing with this garbage group of people, this throwaway group of people?

I think we need to talk about what we do today with the stigma. What do we need to do to talk about this? At the end of the day, any woman who talks about abortion being a choice has to know that whatever a woman does with her body is a choice that she should be able to make, regardless of what that is.

We need to discuss this openly, and I want to discuss it with people like you around the table. You know what we need to do about this. You know how we can make it so we don't have a caste system in this country in which there's a group of people at the very bottom of the caste ladder. All of the wonderful little heroin-looking models in advertisements and all of the sex we use to sell everything from cars to plumbing products is accepted—including in shows like *Sex and the City*, where I don't even understand what the difference is, except maybe the pay.

But we still don't talk about the fact that people who sell this service are seen as below human status. We need to get a hold of this. It's not an emotional issue; it's a truth issue. If we don't talk about it, we will never find solutions that are real because we will all be pussyfooting around the thing. That's a problem.

• (1110)

**The Chair:** Do we have a response to Dr. Fry?

We'll start with Kyla, then Lauren, Gwen, Raven, and Katrina. Everyone can have a crack at this one, but please be as succinct in your response as possible.

**Ms. Kyla Kaun:** You mentioned the press in a very small way. I think they are the biggest contributors to this issue with the kind of language that's used, which we equate to hate speech, to be quite frank. Terminology like “crack whore” just is not a way you're going to ask the general public to be considering compassion towards someone like this.

As well, there are the images. Almost always it is the worst picture that has ever been taken of this particular individual. Don't tell me there isn't a grad picture or something that is much more attractive. But no, it's their mug shots; it's when they've been strung out. It's all of those awful images they put out there that make us look at them and say, "Why would we want to save that life?"

If they use her grad picture or a picture of her with her children or her family, then we are going to have a different feeling about that individual than from the image we see of her being arrested, or those sorts of things. I think the press plays almost the biggest role with respect to the way society sees and deals with sex workers. The government needs to take hold, to say this is severely affecting a particular group of people who are already in a very vulnerable position, and make sure the press is held accountable for the kind of language and images they use.

**Voices:** Hear, hear!

**The Chair:** Lauren, please, make a quick response.

**Ms. Lauren Casey:** Yes, the press is definitely responsible for that. I think the only way to work on the stigma is to create more awareness, to have a voice, to have a national awareness campaign. I always had this vision of driving, if I could one day, to the airport from Victoria and seeing a big billboard saying, "What is a whore?" Someone who marries for money; somebody who performs for money. It's just to create more awareness around it, that it's not just the toothless, strung-out person on the street corner; it's everybody. It affects all of society. I think national awareness is definitely the way to go.

I hate to say it, but I'm a degreed woman, so my degree brings me up a little bit of a notch when I'm speaking with people like you, many of whom would think I was a school teacher. I don't look like a "hooker". I'm going for that Ph.D. because I want to do this research and I want to get up to the table and bring more reality and awareness to the table, instead of just hearsay and stigma.

• (1115)

**The Chair:** Gwen, do you have a comment?

**Ms. Gwen Smith:** I'd just like to say that I think people collectively are a lot more small "c" conservative than they are individually. I've said this a number of times today. I've talked to a lot of people about this issue, and I too think I can pretty much pass for straight these days. When you talk to individual citizens, you get a very different idea from when you ask them, what do you think Canadians think? They say, "Oh, well, Canadians think we shouldn't be having the sex trade or anything like that." I ask, "What do you think?" They say, "Well I think it's a God-given right to do what you will with your services."

I think you'll see this happen a lot. I don't know that we actually have any information about polling what the general population thinks. We have to look at how the laws were made. They were made primarily 20 years ago—and primarily the majority of the people were men, and they were "monied men"—and they were made for the benefit of their communities. Those communities are different now. In 20 years my son will be grown up, and the community he lives in is a completely different place from the community I grew up in and certainly that my mother grew up in.

I think we need to recognize that attitudes are changing, but we have the media shoving "sex for money" down our throats and trying to get us to buy things by using it, and on the other hand you can't talk about it. It is very Victorian. In the Victorian era there was rampant sex trade activity because of the poverty, and nobody could talk about it, certainly not the people who were involved. We've just brought that along, and I think it's outdated.

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

Katrina, did you have your hand up?

**Ms. Katrina Pacey:** I think it's a really important question, because the level of discrimination sex workers experience is part of their everyday lived experience, and it's huge. One of the questions you've raised is, does public opinion drive the creation of laws or do laws create public opinion? What I want to impress upon the committee today is to take what I see as being a bold and courageous step to repeal these laws and make a statement to the public that you as a committee respect the human rights of sex workers, that you respect their rights as workers in Canada. I really want to impress on you that you have that opportunity with this subcommittee, and that it's a rare and unique opportunity that hasn't been around for 20 years, to take that step, to make that statement to Canadians that you respect the human rights of sex workers.

**The Chair:** Ms. Raven.

**Ms. Raven Bowen:** I'm glad to see Art is back. I missed you.

Dr. Fry, as you mentioned concerning stigma, there is a huge taboo around sex workers and women in our community reclaiming or claiming sexual pleasure. I think a lot of the morality comes from that, that for women and sex workers to be in control and have sex and pleasure is something people either don't want to talk about or are not ready for. But truly, there's a ho in everyone, right?

**Some hon. members:** Oh, oh!

**Miss Raven Bowen:** It's true. Come on. Be real.

Lauren spoke a little bit about continuing sexual exchanges where a woman would marry or where somebody would be in a dependent relationship for that stability. There's a ho in her. There's a ho in me today, even though I'm working legitimately. I had more freedom when I was running a cooperative off-street brothel, but it's more expansive than it is....

That's pretty much what I wanted to say.

**Ms. Susan Davis:** I would just like to say that in my personal attempt to try to change and sway society's opinion, none of the people I've ever spoken to—and I live very freely and out in the open with what I do—have any problem with it. If they do, I'm sure they don't like black people either. What can you do? You're always going to run into people like that. Each individual makes up a community.

Like you said, I think if the government repeals these laws and at least shows society, look, it's okay to talk about it....

I live in the west end and I'm part of my community; I've lived down here for 12 years. Everybody knows me when I'm walking around, going into my favourite stores, and so forth, and everybody knows what I do. I think that for me personally it's just a case-by-case, person-by-person, slow thing.

Really, whenever it comes to civil rights, that's the way it goes, isn't it?

•(1120)

**The Chair:** Kate, did you have a comment?

**Ms. Kate Gibson:** I was also going to say that putting a human face to it is a really important thing, because the people who are involved in sex work all came from a family. They all have somebody who cares about them or did care about them before their lives turned upside down.

I think one of the things we don't do is to continue to put a human face on it. They are someone's aunt, someone's sister, or someone's mother—they're all related to someone. One of the isolating things about being a sex worker is that all of a sudden you don't have a family, you don't have a community, you don't have anybody. If you put a human face to that, it will alleviate a lot of the stigma.

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

**Ms. Lucy Alderson:** I wanted to say a final word about this. When we applied for a literacy grant from the federal government to do this work, we were turned down. The next year we applied again and wrote an even better proposal, and we were encouraged to take the words "sex trade" out of the title, and we did. We had a big discussion about it, and we did, calling it *Literacy for Women on the Streets*. It explored with women what kind of literacy they were interested in, how it would go, what would be useful, and all of that. We ran this research project for two years.

I think the word "immoral" always comes up in discussions here, and I think we all have a line around it. I think stockbrokers are immoral.

**Voices:** Oh, oh!

**Ms. Lucy Alderson:** I think the environmental degradation that goes on and is legitimized is immoral. And some would say that some politicians are immoral. So we all have our way of looking at that.

**Voices:** Oh, oh!

**Mr. Réal Ménard:** Do you have examples?

**Voices:** Oh, oh!

**Ms. Lucy Alderson:** But it's serious. So there we are, looking at the world through our own framework, which we do. But what we all seem to agree about here is that exploitation of women and men and transgendered individuals has to stop; we need to find ways to do that, and we need to do that through the law, and we need to do that through the conversations we have every day.

In my department at Capilano College, they're not getting a whole bunch of FTEs from doing this work at WISH or at Carnegie, but they see it, and I regularly speak to the board and to other departments to generate this feeling that it's important that we do our piece. The piece we can offer is literacy and skills and empowerment to a group of women, 41% of whom have difficulty reading and writing. There are so many barriers. So many women are being told that they're not fit mothers, and I don't there's a bigger hole that you can put in someone's self-esteem than to take away their children.

All of these things are struggles that women are having, and then they have their economic struggle as well. So we need to support their choices and we need to support all of the ways they want to work in the sex trade, or to get out of the sex trade. And we can't just have that engagement if we don't have a previous engagement, if we don't have these organizations, if we don't have the programs that women, men, transgendered people, and youth can all be part of and know exist, so that when the time is right, they can make the move that is the right choice for them.

**The Chair:** Thank you.

We have roughly half an hour to go. We can go another round if people are very discreet and direct with their questions—and similarly direct with your responses, please.

•(1125)

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

I wanted to bring up a point that Katrina brought forward and expand on it again: that we should take a bold step by changing the law to make this more palatable to the community, and educate the community in the process. But it rubs my grain as a politician, as a person who was elected to represent a community.

The big battle that rages constantly in any government, in any legislative system, is to represent your community and be the messenger of your community to Ottawa, not the other way around. What you're asking us to do is be the messenger the other way around. I don't think the idea that the community has to be engaged is part of the total process.

To me, the bold step is the fact that we can sit down here, discuss it, and just see where the community lines are. To me, having that public debate is more important than representing a small group of people—and yes, they're legitimate, and there may very well be legitimate concerns here.

In Calgary, as we speak right now, they're discussing red light districts. Is a red light district the way to go? There's an alderman there who wants to make sure that happens, and he has the support of one or two communities. But is that the best for the community? Is it the best for the city? Is it the best thing for legislators to impose upon a community? That's my question.

My political instincts tell me one thing. If I'm going to represent a community that elected me, I'm going to listen to what they have to say, because I still believe in the common sense of the common person as far as legislating and as far as representing a viewpoint are concerned.

Everybody likes to talk about the moral line. We had an advantage to do that the last time—and I would invite Katrina to say something in a minute, but I'll bring up my second question. There is a moral line, whether anybody wants to talk about it or not. I think Dr. Fry brought that into perspective even the last time we met in Ottawa. She said she was going to wax eloquently religiously—I believe those were her words—so she talked about Christ consorting with a prostitute. That's partially the way it was at that time, but he was accused of doing that. A woman who was living in adultery, the life of a prostitute, was thrown in front of him. He told the crowd—and I would assume they were mostly men—“Let him who is without sin cast the first stone.” Of course, what happened? Everyone walked away because they were all with sin, obviously. And he said, “Where are your accusers? Has no one condemned you? Neither do I condemn you. Go and sin no more.” Those were his final comments.

I think that's where we are. I think Ms. Fry actually forgot to mention that those were Christ's final words: “Go and sin no more.” So we have a moral line here that we all follow, one way or the other, whether we want to admit that or not. You tell me where the community's moral line is. We have to have that debate as well.

It's not just the empowerment of women to do what they want with their own bodies. I have female members in my family. I have a little granddaughter. She's three years old. When she reaches high school or junior high or elementary, she's going to look at the choice of careers that she may want to engage in. Am I going to say that I agree here and now that she should be making the choice to be a prostitute, that it's a legitimate career like all the rest, and that she should engage in that activity? No, I won't do that. I won't be responsible for bringing that down upon our youngsters of this day. I think there has to be a line somewhere.

• (1130)

I just don't see including that, as many advocate here, as a legitimate profession we can engage the community in, and we can all live side by side in the community. I just don't see it.

**The Chair:** Katrina, Raven, go ahead.

**Ms. Katrina Pacey:** I'd like to respond to many aspects of what you've said, but I just want to acknowledge that I respect the fact you're responsible to your constituency and to the public opinion there.

I also want to say that as parliamentarians, you are also responsible to the Constitution of Canada, the Charter of Rights and Freedoms, and I hope you will take some time to look at the evidence we've brought before you—the academic research and the community-based research, as well as the lived experience of sex workers, of whom 91 wrote statements to you about their lived experience. I hope you'll look at that evidence and reflect on the constitutionality of the sections and read our submission saying it is contrary to the Charter of Rights and Freedoms to keep these laws in place.

That is an ultimate responsibility of yours as parliamentarians, to reflect on any law reform and on any legislation you put into place, to reflect on it in light of the charter and the protections found in that document, which is, obviously, the supreme law in Canada.

**Voices:** Hear, hear!

**The Chair:** Raven.

**Ms. Raven Bowen:** I just wanted to reiterate some of what Katrina said. First of all, we apologize for rubbing your grain. We would normally have to charge you for that, so sorry about that.

**Voices:** Oh, oh!

**Mr. Art Hanger:** We wouldn't be engaging in this conversation if you didn't do that.

**Ms. Raven Bowen:** Yes.

But we definitely need you, as our leaders, to bring forward this issue to your constituents. You can advocate in a way I can't, in a way that some women around the table and individuals in the audience can't. But at least bring forward all sides of the argument and let the community decide, because it's the community's choice to decide. So please, don't let this end here. This is a grand...a grandiose step, but absolutely bring what you can back.

And also, about your granddaughter—I have a 15-year-old daughter, so I hear what you're saying about choice. Your daughter may not be one who would be targeted for recruitment at a young age. I assume she goes to a decent school, and you live in a neighbourhood where your daughter is not propositioned on the way to school, but mine is.

Because media and other influences already socialize our children—and I'm going back to that—you will spend most of your time deprogramming your daughter by the time she reaches the age my daughter is, so you have to deprogram her. And also, a choice to enter the sex industry—if it's truly her choice—would be her choice to make, not yours.

**The Chair:** Thank you.

Lauren, you had your hand up.

**Ms. Lauren Casey:** Yes. Hi, Mr. Hanger.

**Mr. Art Hanger:** I'm the lightning rod for that.

**Ms. Lauren Casey:** I like the lightning. I like the spirit.

I guess one would consider it a moral issue if everyone in Canada were a Christian, but we're not. Not everybody is.

And I'm not saying rah, rah, rah, prostitution is legal, it's a wonderful industry, and therefore my child is going to do it because it's a viable option. All I'm saying is let's bring it up from down there, and let our community—who is everybody, who is anyone.... I know people who are professionals and are in government—all kinds of people—who actually would support the decriminalization of it, because they don't believe it's really, truly a crime unless it's exploitation, and that's a whole different story.

So if somebody is forced into it or coerced into it, of course, have the laws in place, but if two consenting adults are making a decision to perform this or to exchange this, then it should be rightly so. Otherwise, let's get a law saying it's illegal for a woman to marry for money.

**A voice:** *The Bachelor* would be off TV.

**Ms. Lauren Casey:** Thank you.

**The Chair:** Let's go on to the next question.

**Ms. Cynthia Low:** I think the construction of community is an interesting notion, particularly for immigrant communities. We think immigrants come here.... They come from all different countries, they come from all different occupation sectors, but really they've been selected by a bureaucrat to come here. They've gone through a selection process whereby the values and the morals and the perceptions are consistent with those of that bureaucrat. So in some sense my community—Davi's community—is a construction of a bureaucrat's version of what Canada wants.

So it's really hard to say you have to represent whatever the community wants. Have you spoken to all your community members, in terms of the women who are working in the massage parlours? Have you talked to the men who buy sex from massage parlours in that way—about what they think, very specifically, about their own personal experience as consumers of sex?

• (1135)

**Mr. Art Hanger:** Have I?

**Ms. Cynthia Low:** Yes, have you?

**Mr. Art Hanger:** As a police officer for 23 years, yes, I've talked to people on every side of the issue. I've also reflected on the impact this has within families, with communities at large. Of course, depending on whether the trade or the activity is inside or outside, it does have an effect on the community.

**Ms. Cynthia Low:** I think it does have an impact on the community.

**The Chair:** We have to go on to the next question. Unfortunately we don't have time for a dialogue.

Madame Brunelle.

[*Translation*]

**Ms. Paule Brunelle:** Obviously, the clash of attitudes is difficult, both for parliamentarians, who have different opinions, and the general population.

Twenty years ago, the Fraser Commission had suggested some changes. Public opinion was not prepared to hear about them, something Mr. Fraser referred to as failures. For example, he had suggested that it be legal for two people to engage in prostitution in a house. The media immediately ran with the issue and everything got completely off track.

Since we have begun our travels, I am very surprised to see the differences between places that are quite close to each other, particularly between Montreal and Toronto. I see that the various attitudes dictate how sex work is done and that it would be difficult to come up with solutions given the difference in attitudes and realities.

Perhaps you can explain something else to me that has really surprised me. Before coming here, I was struck by the terrible murders of the women and the violence against women in Vancouver. I expected to hear a lot about that situation. I am surprised that you have spoken so little about it. I do not understand what led to this problem and what led to this need to protect women from violence. I had understood that all of this had occurred here, but you don't talk about it.

[*English*]

**Ms. Raven Bowen:** When we talk about displacement and the bodies piling up, that's what we're saying. We're saying that street-level enforcement of section 213 selectively made sure that certain women were moved out of certain areas, and it increased their susceptibility to violence, hence the missing women.

I don't feel that this is a safe forum to talk about the missing women. I don't want to invoke their spirits at this point, and I don't want to because it's highly emotional, especially because I knew a lot of the missing women. I don't feel this is a safe enough venue to bring that up, because it's close to me as a former sex worker. I worked with some of those women.

But definitely what we're saying about displacement is that we thought that would be self-evident, that we wouldn't have to go into explaining it. Those are the women we're talking about, and the women you may see this afternoon and we don't know whether we'll see tomorrow. Those are the women we're talking about, and that's why we talk so passionately about this.

**The Chair:** Katrina.

**Ms. Katrina Pacey:** Again, it's that lived experience that street-level sex workers face. I would like to mention also that, as Cynthia and Davi have pointed out, violence exists in the indoor setting as well. But the affidavits we collected, the statements from sex workers, really clearly spell out the direct connection they draw between violence against women in society and the incredible vulnerability that sex workers face and the working conditions they are placed in as a result of the legislation. The statements are very heartfelt and very personal lived experiences, and they're in these affidavits that we've submitted to your committee.

I would like to point out that we did not speak with migrant sex workers. Cynthia and Davi have a particular insight into the indoor setting and the levels of violence that are experienced there as well.

• (1140)

[*Translation*]

**Ms. Paule Brunelle:** I would like to find out primarily whether the situation experienced in Vancouver, with all of these murders, could have happened elsewhere, or if there are particular conditions that can be explained by the presence of a larger number of immigrant prostitutes. Was this something that happened by chance? Are these the same conditions that could be found in Montreal, for example?

[*English*]

**Ms. Cynthia Low:** I also work at the Downtown Eastside Women's Centre, which was one of the organizations that initiated the memorial marches 14 or 15 years ago. It wasn't until very recently that it became an issue, and at that time, women in the centre were talking about their friends going missing and their own experiences.

Nationwide there is a campaign that recognizes the common experiences across the nation. In Montreal, Toronto, Winnipeg, and small towns in Saskatchewan, native women in particular are disappearing. They're being displaced and no one is noticing. Stolen Sisters is a nationwide campaign that draws attention to this, and it's not just an issue in Vancouver but a national problem.

**The Chair:** We'll go back to Katrina.

**Ms. Katrina Pacey:** I'll just mention something you'll hear about in great detail, I'm sure, when you go to Calgary and Edmonton as well, because they have an incredible epidemic of women going missing and being found murdered, sex workers specifically. It's unfortunate if that message hasn't come across clearly here today. I hope we've now made that message really clear, and I also hope you ask that same question in Calgary and Edmonton, because they'll have a lot to say about what they're going through right now.

**The Chair:** Thank you.

Kate.

**Ms. Kate Gibson:** I was just going to say the missing women aren't the only reason to talk about this, though. We have to talk about the women, men, and transgendered individuals who live with the danger of violence from predators every day. We can't use just the missing women, because there are other people who are still going through this problem.

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

[Translation]

Ms. Brunelle, you may ask one brief question.

**Ms. Paule Brunelle:** This is not a question, but rather a small observation.

I would like to encourage you to keep talking about violence against women, because this is what is needed if you want people and attitudes to change. By doing this, people will be made aware of this cause, they will understand and their attitudes will change.

Thank you.

[English]

**The Chair:** Thank you for the comment, Madam Brunelle.

Ms. Davies.

**Ms. Libby Davies:** Just picking up on that point, I think that in Vancouver there has been a lot of debate about what's happened to the missing women, and that will continue. But there's also a great fear that once the trial is over, the issue will be invisible again. I think that's why we see so many of the organizations and individuals wanting to deal with what's underneath that in terms of the impact of the law and the stigma. I think it's there. Everything that's being said is always there, but it's also about getting underneath that.

I just wanted to respond to something Mr. Hanger said about representing your community. We do that as MPs; that's why I'm here. I feel like I am representing my community. Sometimes it's difficult to see people when they're not mainstream, and that's part of what the missing women problem is about. Those women who disappeared were invisible. No one took their issues seriously.

For me, the member of Parliament associated with that community, that's what this is about, representing them on that issue here today but also linking it to broader systemic issues involving people's rights. To me, this issue is not just black and white; it's not about moralizing. We have to go beyond that. It's about looking at the harms that are created and recognizing that if the law was designed to protect women, or whatever its intended purpose was decades and decades ago, it failed miserably. It's not

doing that any more. It's actually hurting sex workers out on the street and off the street.

I have a quick question that maybe gets at this question of the violence that exists. We haven't talked about the police at all. We will probably hear more of that this afternoon. It's a very sensitive, very complex issue. To me, that's where this issue of violence also exists. It has to do partly with sex workers' relationship with the police and what inhibits them from actually coming forward. If I'm being stalked or if I'm being violated, I'll call the police. If I'm a sex worker, I'm not very likely to do that.

I don't know if any of you would like to say a little bit about what the issues are around the police, how you see that, and what it is we need to focus on there.

● (1145)

**Ms. Raven Bowen:** Sure. To follow up on one point that Paule made—that we can't make this a women's issue—we have to be really careful when we speak about the missing women to remember that men, women, transgendered, and youth are all criminalized just as equally. So we can't have this siloed into women's issues, even though it's predominantly a women's issue.

What PACE Society did was we tried to bridge relationships with sex workers and police. We did so when we went to the Police Services Board in 2000 to ask for a police liaison officer to follow up the rapes and assaults, because we were noticing that women were going missing and we couldn't find them, and after we had our outreach services cut, we lost our ability to follow up with women. They said no, they're already doing that work. But when the missing women's case broke, the missing women's task team came to us to figure out how to develop relationships with sex workers and how to do so in the least obtrusive way. We were able to bring forward over 60 women to the police, because they saw them as valuable. They saw them as assets to the investigation, and they didn't follow up with charging the women for breaches, etc.

So that relationship building can take place. Some officers feel that if they don't have section 213, what are they going to do? How are they going to get the young people off the street? But giving someone a criminal record is not a way out of the industry. Some officers feel that they're sick and tired of reinforcing this law because they see the cyclical effect. They see that one year this woman looks reasonably healthy. Then she gets charged. She enters the lower echelons of the industry. She comes back with a drug problem, and she's worse off than she was a year ago when he saw her and arrested her.

There are a lot of issues around law enforcement, but I think as community organizations have privilege and capacity to bridge those relationships, that's where it starts.

**Ms. Cynthia Low:** And certainly from our experience with women in the massage parlours, there's a lot of fear around law enforcement. Usually when law enforcement comes in, it's for a bust. There are no police officers coming in to say, "Hi, how's it going? Are they treating you well here? Is it going well?" No. It's not a good thing to see them. That's the relationship. And certainly women who have been assaulted in their work, or even not in their work, will not go to law enforcement or other social services because they work in massage parlours and the issue of their work will come up, regardless of what crimes they're victims of. Never mind that it has no relation to their work. It impacts all aspects of their ability to function in society.

**Ms. Davi Pang:** Not to mention cultural differences too. There's not a whole lot of training for police officers, the RCMP. It is extremely important. Even if they wanted to work with the women, I don't think they could, nor would the women want to work with them.

**The Chair:** Kate, then Katrina.

**Ms. Kate Gibson:** We have a situation in the downtown east side in that we have several officers, but especially one, who has developed trust among the women particularly who work the sex trade. He is the only man who's able to come into the drop-in centre in uniform—well, the only man at all—and speak with women and establish trust.

There is now a plan afoot for a five-year plan to involve more officers in the community and with the people who work in the sex trade, so that there are more people who can establish trust and who the women can turn to. We also have the members of the missing women's task force who come in once a month to speak with the women, so they are able to develop trust relationships there too. I think what we really have to do is expand those trust relationships with the police so that women will come forward and they will speak to people in or out of uniform. It's really important that we do that.

• (1150)

**Ms. Katrina Pacey:** I would just say briefly that the minute you criminalize a population, it's placed at odds with police, and there's no way to get around that. An officer is an officer for the purposes of enforcing the law. And there are officers in the downtown east side and in other neighbourhoods of Vancouver with all sorts of very, very honest and good intentions to be there for sex workers, but when it really comes right down to it, they have a job, and their job is defined by the Criminal Code of Canada. So without eliminating the sections of the code that make sex workers criminals, you're always going to have that difficult relationship.

We certainly hear about it at Pivot Legal Society. And we want to also be clear that in our opinion police officers should not be relied upon to do the job that social service agencies are there to do. PACE and other organizations such as WISH have a really amazing relationship with sex workers in that neighbourhood—an incredible amount of trust—so any idea that police officers should be given resources to act as a social service should be redirected to these women.

**The Chair:** Thank you.

The last comment goes to Sue.

**Ms. Susan Davis:** I will just say that a lot of the trust issue comes from the court system itself. It's not just the policemen. It's the judges. The fact that I went to trial and the guy who held me at gunpoint, who held me prisoner, was acquitted, with no lawyer, is bizarre. Three RCMP officers...the police testify, I testify, my security testifies, and it's me he doesn't believe. So I think it's not just trust with the police; it's also reporting any violence. I've been raped so many times I can't even tell you. I know that's probably hard to believe looking at me sitting here, but that's how it is. Why report? Why put myself through it and have to live it over and over again just to have justice denied? Trust goes all the way across the board.

**The Chair:** Thank you.

Dr. Fry.

**Hon. Hedy Fry:** I just want to follow up on something that was said earlier on about relationships with the police and the fact—I think Katrina described it very well—that the police are there at the end of the day to uphold the law and to enforce the law. You cannot really put them at odds with what they're meant to do and sworn to do. Therefore, the thing to do would be to change the law so that you can in fact have the police do something that.... And I want to address this issue of the commercial sexual exploitation of children and youth, because we haven't really addressed it. We all know how that happens. We all know how that exploitation occurs. What concerns me, though, is what can we do?

When I was Secretary of State for the Status of Women, we funded a conference in Victoria that brought in sexually exploited youth from all over the Americas, and it was due to Cherry Kingsley—who is in the audience right now—that we moved into that arena, that we talked about it. And the young people told us something very interesting. They say that a lot of them don't work on the streets any more. They are working on the Internet.

I don't believe we can talk about choice here when we're talking about children and youth. There's no choice in this. This is exploitation at its worst.

So my big question is this. How do we look at enforcing the law with regard to the exploitation of children and youth when a lot of them are on the Internet? I know we brought in the Internet legislation on luring, etc., but that's totally different. It is a difficult problem. How do you see us dealing with that, especially if most of the kids are not on the street and they're somewhere where the Internet is their soliciting vehicle? How do we deal with that?

**Ms. Raven Bowen:** First of all, we don't charge the youth.

And I've been told that there are police officers who do go on line and pose as children to catch predators. I can't remember if that was a U.S. thing or a Canadian thing, but we can catch the buyers or the exploiters if we do have a funded and resourced strategy around that. If we're able to locate the child, we provide services to the child, not criminalization, and we follow up and charge and prosecute the individuals who are procuring.

•(1155)

**Hon. Hedy Fry:** A lot of these kids don't want to be found because they're escaping from families they don't want to go back to, for various reasons, where they have probably been sexually exploited. How do you help these kids who are under age according to the law, while at the same time not sending them back to the place where they are at harm, where they are at risk, which may be, in some instances, to the family? That is the second question I want to ask. How do we do that?

**Ms. Raven Bowen:** I have seen this happen, the repatriation that's not always the way to go. If we look at the situation when it is presented to us and we identify who are the child's significant others or support networks, which could be someone in a community organization, someone in the community, we can't separate that child from that organization or from that support. That person is their intentional community, so we have to support and resource the community organizations that the child has existing relationships with, instead of full-on repatriating, because most children are running from something, not to something. All of us have seen that in our work.

**Ms. Kyla Kaun:** Actually, the best way to help any children and youth who are in care, as far as I'm concerned, is to empower them to be part of the process. I think the problem for most youth is that they feel like all of the choices are being taken from them. They're being forced into different kinds of care, into different places where they have no say. If you allow them to speak and you allow them to be part of the process in moving forward in their lives, you are going to see them making healthier decisions. You are going to see them making safer decisions because you're allowing them to be a part of the process.

When it comes to the ministry it's still a lot of "be seen and not heard". The youth really need to be empowered, to be a part of their own process as to where they live and what steps they need to take to improve their lives.

**Hon. Hedy Fry:** I have one last comment, and this is that it is really sad to hear, Kate, that you couldn't get money in WISH for the literacy programs. But I think that is what I was talking about. The government is often under the gun for spending taxpayers' dollars on this group of people who you shouldn't be spending taxpayers' dollars on, prostitutes and that kind of thing. Therefore, if government and if politicians don't take that courageous step to say, I don't care if you're going to ask me in question period tomorrow as the Minister of Justice why I supported this particular thing, because these are people and these are human beings and we're going to do this whether you like it or not.... Unfortunately, we have this problem where they are pilloried for spending money or taxpayers' dollars on hookers. That would be the problem, and we're back to the stigma thing again and why it is that we need, as politicians—thank you very much, Katrina—to have the courage to do what we believe to be the right thing, to break the barriers that currently exist. I wanted to say this so that you don't have to worry.

I remember when I funded work for lesbian organizations with regard to some violence issues, I was pilloried on the front page of *The Province*, saying, "Fry supports lesbians with taxpayers' dollars". Very funny. But this was a place where we didn't know

what violence in families of lesbians was. We had no idea whether there was family violence there and how to deal with it.

I want to say that when we talk about communities, I represent my community, but my role as a politician, as Katrina said, is to uphold the charter as well, and the charter speaks to minority rights and to the rights of people who have been marginalized and dispossessed.

I will quote Pierre Elliott Trudeau, who said, "I am going to be speaking always for people who do not have the ability or the voice at the moment to speak for themselves, until they get that voice."

So I think we have to remember what communities are and what our role is as politicians.

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

**Ms. Raven Bowen:** I'd like to thank you for those words, Dr. Fry. That really gives me peace of mind. When you go forward and others go forward to talk to the community about how we're going to spend taxpayers' dollars, do what the City of Vancouver did with the four-pillar approach; do a cost-benefit analysis. Talk about invest now or pay later and pay dearly later.

But thank you very much for having the courage to go forth no matter what is thrown at you, to speak up for people who can't speak for themselves at this point.

**The Chair:** Thank you for your comments.

We thank you for appearing before us today. We've been three and a half hours, and it seemed like it flew by like that. There's no question that whenever we have a really good panel, I think it's going to be very tough to beat that, and in fact I'm surprised time and time again when we have excellent panels. You certainly have been very fruitful and productive for us.

Again, I thank you for being with us. We hope something positive will come out of these discussions. It's certainly not an easy issue, and there is a whole spectrum of views on it, but that's what we are mandated to do, to try to improve the situation as it exists.

Thank you again.

We will adjourn. Mr. Ménard is not here. He has a point of order, which we'll deal with before we resume, which will be at 12:30, or perhaps we could be here at 12:25 so we can deal with Mr. Ménard's concerns.

Thank you very much. The meeting is adjourned.

•(1210)

(Pause)

•(1239)

**The Chair:** I'd like to reconvene the meeting.

Our first order of business is a point of order by Mr. Ménard.

Mr. Ménard, you have the floor.

•(1240)

[Translation]

**Mr. Réal Ménard:** Thank you, Mr. Chairman.



I am somewhat surprised and disappointed by some of the methods we use. I know that I am not a permanent member of the committee. Nonetheless, I would like the committee to consider the fact that, if we made a list of the 10 ridings that are the most affected by the issue of street prostitution, the riding of Hochelaga would, no doubt, be somewhere in the top three or four. There are 200 sex workers in my community. I have tabled a bill. I have been following this issue for several years. And incidentally, I came here at my own expense. It is costing me \$400, and I do not want to claim them either from the House nor from the committee.

I feel that we should show at least a minimum of mutual respect. I do not intend to start a fight, but I expected to be allowed to speak, without depriving Mr. Hanger, Ms. Brunelle, Ms. Davies or Ms. Fry of their right to speak. I thought that there was a parliamentary convention whereby invited members could speak once the permanent members had finished their questions. I feel somewhat surprised, disappointed and even hurt, because the party opposing this is the very same party that tabled a 12-point platform for enhancing the role of MPs.

I have come here because this is a serious problem for my community. And I repeat that I do not want to take away anyone else's right to speak. I think that I am a conscientious MP. When Libby Davies tabled her motion in May 2003, I sat on the first committee that reviewed it, and I think that I have a sincere interest in this, because I come from a riding where this is an endemic problem. I think that all parliamentarians can attend committee meetings. If you read the Standing Orders, you will see that we have the right to speak. I do not want to start a fight, but I would like to have at least a minimum of courtesy and open-mindedness. If the official opposition wants to enhance the role of MPs, this is the kind of behaviour you should expect.

[English]

**The Chair:** Thank you very much. You are correct. In Montreal we certainly extended you privilege. There was an objection from one member of the committee, but unfortunately you left before we had the rounds in the afternoon.

Notwithstanding, the Standing Orders provide that any member of the House who is not a member of a standing committee has the right to ask questions, unless the House or the committee concerned orders otherwise. You don't have the right to vote. You do not participate in quorum.

So the situation is that Mr. Ménard has the right to speak unless the committee rules otherwise. If anyone wishes to put a motion on the floor to not allow him to speak, then I'd ask for that motion now. Otherwise, he has the right to speak, and that's the form letter or the procedure we will follow. Everyone will go for a round, and then I will come back to him at the end of that round.

Ms. Davies.

**Ms. Libby Davies:** I just want to say that I think Mr. Ménard has done a lot of work on this issue as well. Given the fact that he has come to Vancouver, he's obviously very committed to and interested in this issue because it affects his riding. I certainly don't have an objection to his presence, participation, and questioning, because I think it's helpful.

**The Chair:** All I'm interested in is whether someone does not wish him to participate. If so, then make a motion and we'll deal with it. Failing that, Mr. Ménard will participate as ordered.

Mr. Hanger.

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

It certainly isn't my intention to exclude Mr. Ménard, but I think the committee has to be realistic too. We sit here as members who have been appointed to the committee, charged with examining the solicitation laws in this nation. That's what our specific charge is as a committee. I would have to point out—and I don't have to remind the chairman or the committee members about this—that for us to sit and question the presenters.... It takes up a fair amount of time just to listen to the presentations. With that in mind, I might point out what happened in Montreal. The committee members had only one opportunity to ask a question, which I don't believe is quite legitimate if we're going to question those who put the presentations forward.

So I don't want to exclude Mr. Ménard. I'm content, if he wants to share his time.... Maybe his party should have placed him on the committee, as opposed to Ms. Brunelle, but that's their business. That's their party's business. I don't want to have him excluded, but I certainly want the chairman to consider that we have a lot of witnesses who need to be addressed, questioned, have further information extracted from.

So if the chairman would please give that strong consideration, I'm willing to let him sit at the table.

● (1245)

**The Chair:** Actually, it's not up to the chair to make the decision. The Standing Orders make that decision for us. Unless the committee rules otherwise, he has the right to participate. He does not have the right to vote or take part in quorum.

I've asked for a motion on two occasions. I'll ask for it once more. If someone wishes to make a motion that Mr. Ménard not be allowed to participate, then we'll have a vote on it. Otherwise, we will proceed with Mr. Ménard having a right to question, and we'll allow him to question at the end, after everyone's had a round.

Our hands are tied, unless you want to make a motion and have a vote upon it.

**Mr. Art Hanger:** I'm not prepared to make the motion.

**The Chair:** I appreciate the comments you make about the timing, and I bring it to everyone's attention that we have limited time for our questions and answers. Often we, as members, editorialize a little bit ourselves, and there's not an awful lot of time for response. If I were to keep to the rules of seven and three, on many occasions the questions would not even be answered before the time expired. So I'm trying to be as lenient as I can without losing the train of what we're doing here.

In any event, thank you very much for your comments. We shall proceed.

Our witnesses this afternoon are Raigen D'Angelo, Sandra Laframboise, and Jamie Lee Hamilton. We'll go in the order that they are in on our agenda, and I'd ask Sandra Laframboise to start the proceedings.

As I've said, we have up to 10 minutes for a presentation, at which time I will cut you off. Everyone will make their presentation up to that 10-minute period, but then there will be seven-minute questions from our panel. Then we'll go to a second round if we have time. When our time is getting short, there will be three-minute rounds.

So to the questioners and the responders, be as brief as you can without cramping the message you want to deliver.

[Translation]

**Ms. Sandra Laframboise (As an Individual):** Good morning, Mr. Chairman.

First, let me ask you whether there is such a thing as parliamentary privilege. I will be giving public testimony here today, and I want to ensure that I will not be subject to any reprisals as a federal employee. I stand before you as an ex-sex worker and as a federal employee currently benefiting from a medical pension. I want to ensure that anything I say will not be used against me at my job.

[English]

**The Chair:** I just want to assure you that you and the members of the panel, all the witnesses, have parliamentary privilege, so what you say can't be used against you in some future manner. You have parliamentary privilege as if you were in the House of Commons.

[Translation]

**Ms. Sandra Laframboise:** Thank you very much.

My name is Sandra Laframboise and I was born in 1959. At that time, I had the name Joseph Léon François Laframboise. I was a prostitute from 12 to 29 years of age throughout the country: in Montreal, Toronto, Vancouver, Quebec City and Ottawa.

I started to provide my sexual services in Ottawa and I continued until I got out of prostitution in 1989 when I returned to college and became a licensed psychiatric nurse in British Columbia. I later became an employee of the federal government. I started off at Immigration Canada and later became involved in the CAP program and became an executive director at the Public Service Commission. So that's who I am.

I started working when I was 12. I want Mr. Art Hanger to understand very clearly that Johns, people who buy sex, are men just like him or Réal Ménard, and women like Libby Davies or the honourable Hedy Fry. Johns are judges, lawyers, police officers, doctors and blue collar workers. These are people that come from all sorts of communities, just like sex workers do.

People have to stop saying that they came from a good family; we all come from good families. However, all these good families have secrets. And this is mine: when I ended up in the street, at 12 years of age, I had already been raped 1,100 times by a family friend in my home.

At 12 years of age, you are not in a position to make a moral decision like the one that you described. Clearly, there is a difference between voluntary selling sex and being exploited by the sex

industry. Now that I think about my life as a prostitute, I can see that from 12 to 18 or 19 years of age, I was exploited by pedophiles. Nowadays, I use this term very liberally. However, when I worked as a prostitute, I couldn't see this distinction.

• (1250)

[English]

I did not see it because I was engaged in the trade of sex. When you're 12 years old and you're drawn into the sex industry, there are many conditions that bring you there, as I said in French. Those are what I want to talk about.

We talk about protecting the community as a whole, we talk about decriminalizing solicitation laws, and we talk about different models internationally. But we don't talk about the Canadian system, we don't talk about the Canadian communities, we don't talk about what's happening in our community.

Vancouver has a unique situation in terms of prostitution on the street corner, which is very different from lap dancing in a strip bar, which is very different from working in a brothel, which is very different from working in a massage parlour, which is very different from working in an escort agency. Vancouver is seen as the poorest neighbourhood of this country, so the social condition of this neighbourhood has to be taken into account when we talk about the prostitutes of the downtown east side of Vancouver. We have to look at all the social issues: drug addiction, criminals taking advantage, poverty, homelessness. We have to look at these issues because that is a survival sex industry, not the sex industry itself. There's a difference between choosing to sell my body and my sexual services and being exploited.

At the age of 21, I changed and became a woman when I had sex reassignment surgery. I was legally recognized by the Supreme Court of Canada as a woman, Mr. Hanger, but I am still not protected by human rights in this country under gender identity issues. I can still be discriminated against for being who I am in employment. I can still lose my employment for being an ex-sex trade worker or being a male who changed into a woman. That needs to stop. We need to look at each other and say we're human beings before we're parliamentarians, before we're workers in service-providing agencies, before we're anything else. We're human beings and we are Canadians, and we have freedoms and rights.

I'm also Métis, so I come from a background of aboriginal ancestry. Now, do you want to talk about social conditioning issues there? Let's talk about them. There was an Indian Act enacted by parliamentarians in 1898 that constricted and restricted the goings of aboriginal people in this country. It wasn't until 1959 that we as aboriginal people received the right to vote in this country.

Then we talk about morals and we talk about biblical issues. I would hope religion would not interfere with your duty to enact laws for all Canadians and to protect all Canadians, not just the minorities. And when I talk about minorities, I don't talk about visible minorities; I talk about the white minority of this country that is becoming the privileged minority of this country, the male privileged of this country. As a transsexual, I know the difference between being a male and being a woman. I lost the privilege of being a man when I became a woman, and I was treated as a second-class citizen. That's not okay. It's okay for a man to go buy sex, but it's not okay for a woman to sell it? I don't think that's right.

For many years when I worked there were a lot of laws that attacked me, that stopped me. There were municipal laws for vagrancy for the purposes of solicitation. I have seventeen of those in my background that have been pardoned by this wonderful and beautiful free country that I live in, that I was born in. I also have four bawdy house charges that were pardoned through a criminal pardon that Madam Libby Davis's office helped me with several years ago.

I want to say thank you to parliamentarians like you, Hedy Fry, the honourable minister, Réal Ménard, and Paule Brunelle, who take the steps for all Canadians and not just for their own community. I recognize the importance of your community and your constituency, but when you get elected to the House, you get elected to represent all Canadians. I have a vote. Remember that. I hope my voice and the voices of many here in this country who have exercised that democratic right help you realize that there needs to be reform to these archaic laws.

• (1255)

We talked about a Victorian system and a new Westminster system. We talked a lot about those. But let's look at the hypocrisy of them too. The very same people who enacted these laws were the very same people who came and bought sex. I can tell you, Mr. Hanger, I can tell you sitting here, that a priest from a church came and saw me on the gay boy strip in Ottawa, hired my services for \$10 in 1974, and smuggled me into the presbytery premises and slept with me. He was in his mid-50s. And we're going to talk about biblical moral laws here? I don't think so. Let's talk about human law, human dignity, human respect.

So as I sit here and I say that and I speak about these things, I also come boldly presenting you a model, because as a psychiatric nurse, I went back and worked in the downtown east side of Vancouver. It's not until I was a psychiatric nurse that I realized the atrociousness that some of my peers live in—sleeping under a bridge, not knowing where your next meal is coming from, placing yourself at risk of violence to get money so that you can buy a vial of crack to smoke, or having to pay the person who's supposed to be loving you and protecting you.

I also want to bring to your attention, when I'm talking about having to pay, that the things I feared the most when I was on the street were the police officers, and not because I was breaking the law, but because they themselves would come and grab me, especially in Montreal and especially in Ottawa, Mr. Art Hanger. They would grab prostitutes, they would put them in their police cruisers, they would drive them to the city limits, they would take

their condoms and throw them out the window, and take their money and say, "Don't tell anybody." Those are very respectable, law-abiding citizens, law enforcement agents. They would come back and they would say, "If you don't give us a nice bottle of booze or if you don't give us money, we're going to bust you for prostitution this week. You have until this day to pay us." These are law enforcement agents, Mr. Art Hanger, morally abiding citizens.

These are the truisms of prostitution in this country. This is the reality of prostitution in this country. They're not some theories that we're spinning here and debating; we're talking about real-life situations and real crimes being committed against prostitutes by law-abiding citizens, by voting members of this country, by morally obligated people. I'm tired of hearing that.

• (1300)

**The Chair:** Could I ask you to wind it up?

**Ms. Sandra Laframboise:** My model has a 13-point solution, and I'll go to them.

Raise the age of consensual sex to 16 and make it mandatory statutory rape for any person to have sex with someone under the age of 16. No ifs, ands, or buts about that, because those men are fathers, uncles, grandfathers; the women are aunties, mothers...raise that age and enforce it. That's the first solution.

Review the laws on statutory rape and impose even stiffer sentences.

Have rehabilitation programs for those kids who run away from home and find themselves being exploited in the sex industry, but also have rehabilitation programs that will address the family system, because if the kid is a runaway there's a problem at home. There are problems in good families. We need to look at that reality.

Fund more drug and alcohol rehabilitation programs in this country. It's not okay to just go to detox and have no other avenue when you are ready to leave it, not from my perspective. There are too many people who go through a revolving door; we have abandoned them.

Fund more affordable housing for those who are homeless, especially the prostitutes who sleep under bridges or on air vents here in Vancouver.

Decriminalize the solicitation laws and regulate the sex trade for those who are 18 and want to be involved in it. The sex trade is a service. It's not going to go away. It hasn't gone away. As long as this country has existed there have been laws against it, and it's never gone away. Do that—decriminalize it and regulate it. As you were saying, *les règles du jeu*, we need them.

Some of us may not look at it that way, but we need it in order to start looking at it as a social condition, a social issue, and as a service—we need to regulate it. We need to have workers' compensation, unemployment insurance. We need to be able to pay taxes to access those social programs that every one of us here enjoys in this country. A lot of my peers don't. I'm the lucky one; I got out alive, and I have a job. I'm the lucky one—and I find myself lucky in saying that.

Create a red light district with health services available to them, and licences.

What I'm trying to say here is, this model cannot be "one shoe fits everyone". That's the problem sometimes with our laws in Canada. We enact a law, and we want to try to catch as broad a catchment area as we can, but in doing so we're trying to fit everybody into that model, and it's never going to work. We need to have a multi-level approach.

Make it mandatory for those who sell sex to have a licence. Make it a condition of licence to have regular medical checkups.

Revise the sexual education curriculum at all educational levels, including university courses, medical schools, schools of nursing, and law schools. Bring sexual education into the school, and stop thinking about it as being taboo. Wage a huge public education awareness campaign.

Collect taxes on money made selling sex, and collect taxes on salaries made from offering sex services. You then legitimize it and take away the criminal component. Then we can access all these beautiful social programs that exist in this country for us.

Create centres that include support for people wishing to leave the industry and for those wishing to come in so that they also get education and support services.

Municipal law enforcement agencies should be made accountable to all citizens, including sex trade workers.

I'm going to tell you something. As a sex trade worker and as a service provider in the downtown east side, there is, there was, and there continues to be a buzz about why this Pickton guy got away with so many murders. Part of it is because the city's own law enforcement agencies were not listening to our co-workers, our colleagues, and our sex trade workers. That's someone like you, Mr. Art Hanger, who has moral and biblical issues. It's someone who's a police officer who upholds the law.

**The Chair:** Ms. Laframboise, can you please wrap up?

And please, as for the comment on Mr. Hanger, I would ask for a little respect for the panel as we respect the witnesses.

**Ms. Sandra Laframboise:** I will finish, and I'm not attacking Mr. Hanger; I'm attacking the principle.

The police and the courts need to be educated on sex work—they do. We all sit in that white tower, and we think we know what's best for other people. I know what's best for me, and I know what I need in services. And I know I can express it, but my colleagues can't.

We also need to create a national, coordinated, independent police watchdog for police officers so that people can feel safe to report crimes against them by the law enforcement agencies. Believe you me, this may ruffle some of your feathers—I'm sorry if it does; I'm sorry if I've offended some people, but this is my reality. I live with this. Every day I get up and I thank God that I am alive—because I lived through this, and some of my colleagues died through this.

Thank you.

• (1305)

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

Jamie Lee Hamilton, please.

**Ms. Jamie Lee Hamilton (Co-Founder, Change the Code):**  
Thank you, committee members.

Normally I don't use notes, but given only ten minutes for someone who is used to using their mouth to make their living, I will have to follow my script.

As one who's been an on again, off again, and on again sex trade worker for most of my life, let me say how fortunate I feel to be here today—alive—as I approach the half-century mark of my life, telling you my life story and perspective on the sex trade. Many other voices I know cannot be here today, and I think we honour them and pay tribute to them by having a forum of this nature.

From a very early age, society has placed me in harm's way. I say this not as the blaming component to my story, but simply as fact. From a very early age I had no choice regarding the poverty, the victimization, and the violence that occurred far too early in my young life, but this being what it is, I made a choice to escape—to escape the pain, the suffering, and the hopelessness. My choice to escape, not certain what life may hold, was questionable. Did I make the right choice? I think that I'm alive here today speaks a lot for someone who might be watching over me, but he's probably also saying to you that he can't do it alone; you also have a responsibility, a fiduciary responsibility, to ensure that our lives are kept alive.

From the early years of my involvement in the sex trade I have had reinforced how cruel society can be. I wish to premise my remarks by saying I don't wish to have my comments construed as meanspirited, and I hope my comments and thoughts will be taken as a direct, truthful, and I hope enlightening account of my life as a sex trade worker for the past 35 years.

Having been involved in the sex trade at an early age was probably really disastrous. I think there's no getting around that. Nonetheless, being involved in prostitution shouldn't, and I don't believe it does, make me a bad person, and it certainly should not make me a criminal. Fear and harm, though, comes with being a sex trade worker, and it doesn't only come at the hands of a bad customer. Sadly, it comes at the hands of our own legal and justice system, a system I was always brought up to believe was there to protect me, reduce harm, and ensure justice.

My first encounter with the legal justice system and its failure came when I wasn't yet an adult. I was 17 years of age, walking home alone one night after being out on the stroll. I remember a police officer drove alongside me and motioned me over, and the officer had a dog barking in the back. I was kind of fearful, and he asked me for my identification. I gave him my ID. He saw that I was 17 years of age and said I shouldn't really be out that late at night. I assumed he was there as a protective source. He said get in the car, and I asked why, and he had some unusual reason; he wanted to check my ID on the communication system they have, and I was very frightened. He said he knew I was prostituting and that he was going to drive me home in the west end, a few blocks away. I said no, it was okay, I could walk home, and he said no. Well, what happened was I wound up in Stanley Park with the vicious dog in the back seat in a locked car, and I knew officers carried deadly guns. Imagine how fearful I was at 17 years of age. I tried to shake that off, and I wonder, even to this day, what would have happened to me had I attempted at that young age to expose the injustice that came at the hands of someone who was there to protect me.

● (1310)

As I recovered from that experience, my next encounter with the legal system took place one month after my 19th birthday. I was on the working stroll with my friends. We were a community. Even when we weren't working, we'd go down to the west end street, because that's where our community was. Up comes a car and a man motions me over to chat with him. You know what they say about how you always get a bad feeling. I got that bad feeling, and I said, "No, I'm not really into it", or "I'll think about it", and he drove away. Fifteen minutes later three undercover officers in a marked car drove up. They questioned me. Then they told me I was under arrest for prostitution and they took me to the city jail.

That again was a very traumatic experience for me because upon my entry into the booking area, what I now call rogue officers began throwing firecrackers at me. They thought it was fun to see me jump around and be really frightened. Maybe that was what they wanted to do. Maybe they believed in their mixed up minds that creating harm might set me on a better path or the right path. I got through that.

The next morning I had to appear before the judge. I had called my mother, the one person in my life who I knew was always trying her best to protect me. As an aboriginal woman, she was a victim of the residential school system. I remember that judge's words to this day: "We have to keep people like this off our streets". I thought, how could he say that about me? I'm a good person. I'm merely trying to survive in this society. I'm not a bad person.

The end result was that I was given an area restriction. I was not allowed to even go home because my home was two blocks away from my area restriction. So I had to move. It's interesting because that charge was dropped and I had no criminal conviction. Obviously, it was used selectively and I think created this further harm.

Around this time I decided to stay off the streets for a while, and I got a job. I returned to prostitution in 1979 and the early 1980s, again for economic reasons. At this time a group came along—and I'm sure you've all heard of it—that was led by one very outspoken activist, who later became a politician, and that group chased us off

the streets. That group was able to entice the attorney general of the day to bring forward an injunction preventing us from being in the west end. Talk about using the law to harm people and restrict their movements. That's deplorable.

At that time it was getting more and more dangerous, so I went to school and fulfilled my life's dream of finishing my high school education. I did that.

In 1990 a horrible murder took place in Vancouver. Ms. Cheryl Ann Joe, an aboriginal woman, was brutally murdered in the downtown east side. She was brutalized beyond belief. I realized I couldn't stand by. I couldn't allow anyone to be treated as a throwaway. Further to that, I kept up my involvement as an activist, speaking out for the rights of sex trade workers, and I opened up a drop-in centre for them. I know it was my outspokenness and our group's that led to us being shut down.

● (1315)

You see, we had the audacity to bring to the attention of the public the victimization and violence that was occurring. We were the first to say that a serial predator was in our midst. Our friends were disappearing, and we knew. We heard the stories that they didn't just move away; they didn't run into a rich sugar daddy who was going to take them forever. The police and the city were in complete denial. I remember us calling for a reward, and the mayor of the day said, "We will not fund a location service."

I'd like to thank Ms. Libby Davies for coming on side and really championing this issue. She's done an amazing job for us ever since, along with Hedy Fry, Réal Ménard, and Svend Robinson.

I want to close by saying the law can't be used to target a segment of the population because you might have moral concerns around the issue. This is about human dignity. This is about equality in our system for all. Until victimization in our society has disappeared, until violence is stopped, until poverty has evaporated, and until sexual abuse is ended, we are always going to have prostitution in our society. It is often the only option for survival.

Using selective enforcement measures to address and decrease prostitution has not worked. As an activist and advocate, I say it only furthers harm against sex trade workers, and reducing harm against sex trade workers has to be made a priority of the justice system. You cannot allow the system to fail us. We deserve better, way better. I ask you all to consider, please, for those who are not here today, decriminalizing prostitution.

In closing, I want to recognize Lorraine and Laurel, who are here but are not presenting today, and I want to say thank you for coming out and I hope I've done you some justice.

**The Chair:** Thank you, Jamie Lee.

Raigen.

**Ms. Raigen D'Angelo (As an Individual):** Hi. My name is Raigen D'Angelo, with the letters "Regd." after it.

**Voices:** Oh, oh!

**Ms. Raigen D'Angelo:** I have to clear the air a bit. I am a retired lady of the evening. I'm not kind to the words "sex worker" or "sex trade worker". I'd rather be called a professional sex provider.

When you're working the streets, you're not always providing sex. You're counselling people. If somebody is having a problem in their relationship, you can actually save a marriage, which is hard to believe. I have counselled a lot of people and made them go home to their family, to their children. So to stereotype us is not going to help matters in any way whatsoever.

As for today, I really do not want to be here. I guess I'm going to have to call Libby on this, because I'm going for a pardon this year as well.

**Voices:** Oh, oh!

**Ms. Raigen D'Angelo:** Unfortunately, there are multitudes of issues that are intertwined in this debate, including misrepresentation, stereotyping, and a lack of understanding by the general public of what the laws do to marginalize us to the point of desperation and hopelessness, and how they do that. Today I would like to speak a little about these three areas and then conclude with my life experience relating to the laws and the impact they have had on me.

First, on misrepresentation, I'm disappointed to see that all people who work in the industry are not here and that they have not been asked to participate. In the Yellow Pages, you will find over eighty advertisements for escort agencies and over fifty advertisements for massage parlours. I do not see any representation whatsoever for these workers.

I was also very disappointed to find that these proceedings began at 8:30 in the morning. We are talking about sex workers' rights. What practising ho is going to be up at 8:30 in the morning?

**Voices:** Oh, oh!

**Ms. Raigen D'Angelo:** The only ones who would be here are the ones who got paid all night and are still awake.

We also have a problem with stereotyping. I may not be in the profession any more, but I believe someone has to speak out against those who wish to stereotype all workers to be the hopeless and

despaired of the downtown east side. Who could blame you for having that image?

In recent years, there has been an abundance of attention brought to the downtown east side of Vancouver. Along with the general public, I have been saddened and outraged by the slaughter of the women who lived and worked in the survival sex trade. Several of these women were friends of mine, acquaintances of mine. We worked together just out here on Davie Street. I pray for them and their families, and that their deaths did not happen in vain.

I would hope that people would not take what I am about to say the wrong way. When we talk about the downtown east side, we should be talking about remedies for poverty and addiction services, not prostitution. Everybody puts those together as if everybody is drug addicted, as if everybody just lives in the downtown east side. The press is really bad for this. What I'm going to say is going to sound horrific, but the press goes out and grabs the sorriest looking ho they can find and say that's what prostitutes are. Look at me. I ain't a sorry ho. I got paid. Look at the jewellery. Uh-huh. They're real. Anyway....

● (1320)

When you live in these types of conditions, you try desperate acts to relieve and to mask the pain. I know what it is like to be drug addicted. I know what it is like to be homeless. I know what it is like to call the downtown east side your home, to live in Crab Park, under bridges, lonely, nowhere to turn. By the grace of God, I'm clean and sober today.

The best way to help those in need is to build more treatment centres. The reason I really want to focus on the treatment centres is because there are a lot of great services out there, but I find what they do is they enable the ho. If you're not willing to offer the ho the right to recovery, the right for a better life, you're not really helping that ho. I don't know how to put it into context. It's like trying to help an alcoholic. Do you give him a bigger welfare cheque when he's going to spend that at the bar? No. The best thing is to probably turn that welfare cheque into more of a voucher that you can use at a store. Then you know it's going to food.

Also, provide adequate and consistent education. There are a lot of people who don't have access to education. Education is very expensive now. And above all, have an open mind and have the ability to respect and accept anyone and everyone who may not be the same as you. That is big. You have to have an open mind when you're dealing with these kinds of issues. If you come in with a closed mind, you get nothing done, and that is the spiritual principle.

Remove sections 210 and 213 of the Criminal Code of Canada.

Changing the laws may be the biggest solution to remedying the current conditions, by removing sections 210 and 213 from the Criminal Code of Canada. I believe when people in the industry are allowed to work indoors, it limits their risk of being victimized by bad tricks. I believe that anyone with ill intentions does not want to take a chance on going into someone's residence to violate him or her when they already have people standing in dark alleys who are much easier prey. In my lifetime I have had more bad days from working a dark street corner than I have from working behind closed doors. I have found that most opposition from the general public is to those who stand on the street. That is why I point out sections 210 and 213.

Section 213 of the Criminal Code of Canada was an attempt to stop prostitution from taking place. It has not worked. It most definitely won't work in the future, or whenever. I believe this section of the law has encouraged the victimization of all street workers, regardless if you work on high or low track. The amount of reported abuses skyrocketed after this was added to the Criminal Code. I also believe that there has not been enough importance addressed to the fact that more people were murdered, more people were raped, more people were violated because of section 213 of the law.

I also believe in changing sections 151 to 153 of the Criminal Code of Canada. If you're serious about helping the youth from being exploited, you should change sections 151 through 153 of the Criminal Code. The age of 14 can be changed to 16, and if it's my niece, change it to 18 years.

This would also give the judicial system means to prosecute pedophiles who prey on children.

● (1325)

I would also suggest to the committee that the age of consent for those in the industry should be 18 years of age.

In April 2004, *Vancouver Magazine* did a story on prostitution, and the following is quoted from this article.

According to Stats Canada's report "Street Prostitution in Canada", just three percent of the people nailed with communicating charges nationwide were under 18. Equally curious: only a tiny fraction of the 7,165 people charged for prostitution-related offences were busted for living off the avails or for running a bawdy house. The vast majority of all those arrested for prostitution in Canada are adults soliciting outdoors.

Now I'm going to give you a little, brief history of my life.

**The Chair:** Our time has been utilized. Can you wind up?

**Ms. Raigen D'Angelo:** Yes.

I have worked inside and outside in many of the major cities between Vancouver and Montreal. I have also worked both high track and low track, not to forget those kind men at truck stops in between. Wherever I went I could always find someone who needed some sort of relief.

My prostitution journey began in Edmonton, Alberta. I was homeless at the time, trying to live in a hostel and work at a restaurant for minimum wage. Busing tables to a late hour would make it impossible for me to make the curfew that was set by the hostels. More often than not I would have to spend the night on the streets. I would spend the night at strangers' homes in the hope of

finding a safe place to sleep. This solution did not rectify the problem. I tried to receive welfare, but in the end I was rejected because I chose to leave foster care.

One evening, I met a wonderful transgendered male to female woman. She was a lady of the evening and appeared to have a much better life than I did. I met someone with similar issues, and soon we became best of friends. She worked for a pimp and I chose to be an independent working woman. I was never coerced into this profession—never ever. Nobody took a gun to my head and told me to go out and suck dick—and john. I always worked of my own free will, except when it came to addiction.

I was fortunate to have met her, because it allowed me to work on high track. While in Edmonton I lived in hotels, along with other friends I made on the street. Unfortunately, police officers would check the guest registry of local hotels that were close to track. They would inform the hotels that I was a hooker. The following morning I would be thrown out of the hotel. Moving from hotel to hotel was the norm for most of my life until the age of 30.

In Edmonton there was a department called morality, a division of the police department. It was equivalent to vice squad in other major cities. They had badges that allowed them to terrorize us in any way. They felt a need to eradicate us from the streets. They would shoot us with pellet guns filled with rock salt, bury our heads in snowbanks, and do other atrocities. They would also hold us without laying charges, and countless other things.

These kinds of actions taken against prostitutes are inhumane. We treat our pets better than that. Above all, this activity is illegal. It actually made our resolve to stay in the business, regardless of what they had done. So the intention of the law didn't make me quit; the intention of the law made me have perseverance and say "Damn it, I'm staying out here!"

The phrase "at police officer's discretion" does not work. They assume the role of judge and executioner. The general public would not accept this kind of behaviour. What makes this right and above all "moral"?

I eventually left Edmonton for Vancouver, B.C., for other reasons than those I just mentioned. Vancouver was great, because there was a large TG community and doctors who knew what we needed. Working Davie Street was perhaps the best time of my life. We would all take care of each other. We'd take licence plate numbers and inform each other about what dates are really bad, whether they're not worth turning, are cheap, or whatever.

At this point in time we would not allow men to put underage girls to work on the streets. Every since section 213 came into existence, the number of young girls on the street has skyrocketed as well.

I'm going to go to one final story. After the Shame the Johns campaign, we all had to move and whatever. That summer there was nobody watching me while I was on a street corner. I was working in the Broadway area, where I met my first violent customer. I was working alone that evening, as I did most of the time. I took a man back to my home, and he attempted to murder me. I came out from the washroom and a loud click echoed in the air. It was a switchblade. To my shock, he lunged at me with the knife, and blood began to squirt and gush from my body. I tried to defend myself, but he kept slashing me. He had put the chain on the door, and while I was defending myself I had to unlock the door and remove the chain and get out. I finally got out after being stabbed 17 times, and I stumbled in front of an old lady's home in a pool of my blood.

• (1330)

I ask, what have your laws done for me? That's what your laws have done to the girls at the Pickton farm.

I thank you for those laws; they work good.

Thank you.

• (1335)

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

**Voices:** Hear, hear!

**The Chair:** We are going to go to five-minute rounds, and even with them we're going to be late.

Madame Brunelle.

[*Translation*]

**Ms. Paule Brunelle:** Your testimony makes us experience a whole range of emotions and it is hard to come up with questions after hearing it.

Ms. Laframboise, I think that you have come up with some very good solutions. I quickly noted them down and I will review them more closely to see what can be done. Your intelligence is palpable as is what you have gone through and the great deal of thinking you have done about it. Thank you for having talked to us about this. I think that you have made a good synthesis of potential solutions. We need to go beyond human dramas and try to find solutions. To what extent will we be able to change people's mentalities and help our society to progress so that such things never occur again? That is what concerns me.

I realized something while listening to you, Ms. D'Angelo. I had two sons and both my pregnancies were difficult. I almost died during my last pregnancy. I realized how important human life was and that regardless of the person involved it is our responsibility to try and defend him or her and to look for solutions. Although we often talk about the cost of investigations and any action that maybe taken, what is most important is human life and people's health. This is the legacy that we leave our society.

I don't really have any questions to ask you. I am grateful for your testimony before us. Thank you very much and good luck. We will continue in our attempts to improve the situation.

**Ms. Sandra Laframboise:** Thank you.

[*English*]

**The Chair:** Merci.

Madam Davies.

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

First, I want to thank the three of you for being here today and really speaking so honestly. It's actually very overwhelming in all the hearings to hear how people have come forward in public. I'm sure it's not an easy thing to do, to share your personal stories, because I actually know all three of you and I've learned things today that I didn't know. So given the fact that you've done it in front of a parliamentary committee, at a formal hearing...I want to thank you, because it's very hard and I'm sure it raises all kinds of painful memories. But in one way it's really good to get it out on the table.

I think this is partly about what we're trying to do here. There hasn't been a debate—it's been so hidden and so invisible—so the fact that it is now being debated publicly, the whole question of prostitution, sex workers, what happens, is so important. And we obviously have a long way to go.

I wanted to make one comment, Jamie Lee. You mentioned Cheryl-Anne Joe. I remember that very well, and in my own mind anyway I believe that with her death, her murder, it was the first time in the downtown east side that there was a human side to this. Even there it was hidden, and it was actually the terrible murder of Cheryl-Anne Joe in 1990, when we had the march along the street and the smudge ceremony at Carnegie that I think changed the issue for a lot of people in that community. People started realizing what was going on.

It's hard to believe that was 15 years ago.

I have one more comment. I think everybody agrees that we don't want to see harm created. We don't want to see women, men, and transgendered people placed into dangerous, high-risk situations. I can't see anybody who would ever disagree with that, but there are different points of view about how you best provide people's safety. Some people think it's through prohibition. Some people believe that very strict law enforcement is how we're going to deal with this. I think many of us now feel that's not the answer. In fact, the opposite has happened. It's actually contributed to the harm that takes place. You've told us some very clear examples of what's happened to you personally in regard to that.

So to me it is a debate about what we do. If this is about improving safety and ending the violence and exploitation, then what is the role of the law?

Sandra, you mentioned the age of consent. This has come up several times, and I think we need to be clear about it on the record. Again, I can be corrected if I'm wrong, but I believe when it comes to the sex trade we are talking about age 18. In terms of sex between, say, teenagers, the age of consent is 14. But if it's with a person in authority, it is then 18.



There has been a call to raise the age of consent to 16, but I think there's a very big debate about how we would then be actually making sexual activity between teenagers illegal. That's the same kind of debate, the same kind of moral debate...maybe that's not right. But if you make something illegal, you also make it invisible; you also drive it underground. To me the more important thing is to actually have really good education for young people about making informed choices about their own bodies, about their sexuality, and so on.

I wanted to make that point about raising the age of consent, because you're not the first person to say it; it has come up before. But I wanted to let you know that in my own mind, I don't know.... It's actually already there legally for situations that are coercive or harmful, or with someone in a position of authority it is 18. So maybe we should keep that in mind.

• (1340)

**Ms. Sandra Laframboise:** I'd like to speak to that.

**Ms. Libby Davies:** Yes, sure, you can reply to it.

I'll throw out one other question. You've all had a lot of experiences, so you do provide a lot of help and guidance about what should be done. I am curious to know how you see the municipal involvement in this.

Should the federal government be getting out of this completely and leaving it to municipalities to zone? As you heard earlier, there are various points of view on this. You could have some things that are good, but maybe it would also not be good. I don't know. So I'd be very interested.... Who should be making decisions about this? Is this something we should say is decriminalized and that's it? Is that what you would like to see, or are you interested in having some role, either by the federal government or by the province or by the municipality?

I think the problem is that nobody trusts anybody any more. That's partly the issue we're dealing with. Nobody trusts anybody to do the right thing. At any rate, if you have any views on that, I'd like to hear them.

**The Chair:** Go ahead with the response.

**Ms. Raigen D'Angelo:** I wouldn't feel comfortable if it was left up to municipalities, because there are a few provinces between here and Toronto that are pretty right wing and they probably wouldn't do anything to help the situation. I would much prefer if the federal government—this is a starting point where we are today—helped there, if a moratorium on sections 210 and 213 was put into place, and if the dialogue kept happening.

As someone said earlier, a national campaign to educate the people about what the laws have done to people is a great place to start.

**The Chair:** Madam Laframboise.

**Ms. Sandra Laframboise:** Two points. When I talked about age of consent being raised to the age of 16, I did address the issue of rape and enforcing those laws. Although the laws are already there—and I understand they are there because as a victim of rape I went back and used the criminal justice system. But the police officer who investigated the person, who was in a position of authority over me, decided—they decided at their discretion—that it would not go any

further, and yet this was a person who molested me, day in and day out for three years, who was in a position of authority over me.

Having the law in place and actually enforcing it, and making sure that it is enforced, are two different things. Also, when I'm talking about raising the age and enforcement, I'm also talking about applying it. Let's take the tool that is available to a judge, and let's use rape—just rape, out of the realm of sex trade work and all that. You present a case in front of a judge and the judge has a wide discretion of penalties that he can impose according to the law. What we see in the news and what is so sensationalized is that it's a very minimal sentence a lot of the time. From my point of view, from my experience of being raped and being a sex trade worker, there's no real sanction against those people. The law is soft, and why?

You need to look at that situation. Why isn't there a set of regulations and no deviating from it? If you do that and you're found guilty of that, this is what you get. It's not a range. This is what you get. You impose it stiffly, as a deterrent.

• (1345)

**Ms. Libby Davies:** Are you talking about a minimum sentence?

**Ms. Sandra Laframboise:** Minimum, maximum, exactly.

With regard to education, I too believe in education—I think in my solutions I made it quite obvious—and education in many areas, not just educating the communities at large, but also educating the sex workers and having sex education programs, starting at an early age in school. We need to really look at that part—the curriculum in school. Even in different areas of sexuality, it's still taboo in the school system.

As long as we mystify sex and we're not willing to look at it and use education as one of the tools, it's going to remain a mystical thing, this great evil thing. The name of my paper actually is “Sex Trade, The Law, and Society, Mutual Apathy, Negative Synergy and Systemic Inconsistency, 'A Call To Decriminalize Solicitation Laws in Canada’”.

**Ms. Libby Davies:** It was circulated.

**Ms. Sandra Laframboise:** Yes, it was circulated. I go into much, much more detail about education and services that could be implemented.

**The Chair:** Jamie, did you have a comment?

**Ms. Jamie Lee Hamilton:** I do. I just want to respond to that, Ms. Davies, because you've raised a really valid point.

I think when many of us thought about the Port Coquitlam farm, we thought, “Oh, it's neatly packaged, and now the police have done their job and everything is going to be okay”. But we know that a few years after that there was the Baker incident in the downtown east side. Fifty women were victims. My understanding from talking to legal individuals is that those charges are probably going to be dropped, because of the women agreeing originally to engage in a consensual act.

Here we go again, opening up a whole can of worms where there are all of these other sidebar issues. But what remains constant is the violence and the victimization. We can do everything within our power to eliminate poverty and sexual abuse and everything else, but prostitution is there, and the part that we can't seem to get our heads around is how do we reduce that violence? We've tried so many things, but we haven't tried the decriminalization aspect and some form of harm reduction measure, to ensure that our charter right to life, security, and liberty is upheld.

**The Chair:** Thank you.

We'll have to move on to Ms. Fry.

**Hon. Hedy Fry:** I was just going to ask the question that Libby asked—and you've explored that—about the age and what it would do, say, for consensual sex among teenagers, etc. But I think that's been discussed.

In the first round, women spoke of their experiences, and in this second round each one of you has talked about some fairly stirring and emotional ones. I think what we forget sometimes—and I know we talk about this when we talk about legal issues, etc.—is the fact that exploitation of individuals is not only done by those who are outside of the law, but also by parents. They're done by people within the law; they're done by people within positions of authority and trust who we should be able to go to for protection but who haven't protected. This in fact has a cyclical effect on a person's life, spiraling them downward into places where they don't know who to trust any more.

I want to applaud your courage in having survived. I think it took special skills to survive. Many of us have heard of people who have not survived, but you have. Because you've survived, the fact that you are here now to tell us of your stories is especially moving.

I just wanted to explore a little bit something that said about districts. We've heard from some women across Canada, many of whom who have said they don't like the idea of a red light district. I wanted to hear what you think about those, because they felt that what happens with red light districts is that they tend to be put into areas that are industrialized, outside places that are safe, to places where nobody goes, and in fact where clients don't want to go because they're so far off the beaten track. That brings us to the question of choices in terms of flexible ways of looking at this issue.

I've heard over and over, and I'm sure the others can tell me they've heard the same thing, that red light districts are not exactly the way to go. So what would you say about red light districts? Do you concur?

• (1350)

**Ms. Jamie Lee Hamilton:** Yes, I agree. I don't think red light districts are the way to go. At one time, I must say, I thought they were the way to go. I've evolved my position since then, and I'm not afraid to admit it.

**Hon. Hedy Fry:** Could we have that in writing, Jamie?

**Ms. Jamie Lee Hamilton:** What's that?

**Hon. Hedy Fry:** No, I'm just teasing you.

**Ms. Jamie Lee Hamilton:** I love you, Hedy, because you said I still don't need a facelift, so that's great.

**Voices:** Oh, oh!

**Ms. Jamie Lee Hamilton:** That's my answer. I don't think they're the way to go.

**Ms. Raigen D'Angelo:** I just want to address the red light district idea.

Due to a lack of proposals on the table or ideas that would work with the general public...I do realize that when you're in politics, you have to think of your constituents as well, what will appease them to a certain degree. If you give a little, you take a little. I understand that clearly today, so I'm not going to be so harsh about it.

I would think if a red light district were created, you could have people pay to come into the red light district, and you can have revenue there for sanitation and whatever. I also think it would encourage development in that area. People would want to put hotels and stores in that area, if it was a legitimate red light district.

It has to be legitimate. It can't be something that we just put way off in some side street on Terminal Avenue there, between the tracks or something. It has to be somewhere that is acceptable with the citizens of the community and with the sex workers, and it has to be negotiated between the two.

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

**Ms. Sandra Laframboise:** I support a red light district myself. I think it would help in creating safety and in monitoring health issues, but I also would like to leave it open for other possibilities. As I said, one-shoe-fits-all will not be the solution. This is a very complex issue.

Just on another point you brought up, Libby, about government levels—I know I didn't address it—in my submission I say consultation with all three levels of government, provincial, federal, and municipal, and also with the community. The pros and the cons have to be studied in detail and all opinions taken into account.

**The Chair:** At this time we're going to have to conclude this portion of our hearings because we are due at another location.

We thank you very much for your discussion with us. I know it's very personal and very moving, and certainly emotional for members of the committee as well. I appreciate how difficult it was for you, but I think there will probably be a positive benefit as well.

Thank you.

We will adjourn the meeting.







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