

Brief to the Standing Committee on Justice and Human Rights

**Submitted by:
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Chair and Members
Standing Committee on Justice and Human Rights

The London Abused Women's Centre (LAWC) is a feminist organization that supports and advocates for personal, social, and systemic change directed at ending male violence against women and girls. LAWC is a non-residential agency that provides women and girls over the age of 12 who have been abused, assaulted, exploited, and trafficked with immediate access to long-term, trauma-informed counselling, advocacy, and support.

During LAWC's last fiscal year, over 4,600 women and girls were provided with individual counselling and group support. This includes over 800 women and girls who reported being trafficked or were at risk of being trafficked. During this same time, LAWC also answered over 5,000 calls for support.

LAWC has been providing services to women and girls involved in the sex industry for nearly 25 years and since 2015, LAWC has supported over 2,800 women and girls involved in the sex industry and over 1,800 women and girls who were at risk of becoming involved in the sex industry with long-term, trauma-informed, woman-centred counselling, advocacy, and support. These numbers include at least 68 girls who report they were under 18 years old.

I would like to thank the Standing Committee on Justice and Human Rights for inviting LAWC to appear before you on Friday February 11, 2022.

Young women and girls between the ages of 12 to 21 are at the highest risk of being sexually exploited, groomed, and lured into the sex industry, often by traffickers who manipulated them into believing they were in a relationship.

LAWC recognizes prostitution as male violence against women; incompatible with women's human rights and it is the demand for prostitution that fuels sex trafficking. Prostitution is an extremely dangerous activity that poses a risk of violence and psychological harm to those subjected to it, both from purchasers of sexual services and from third parties.¹

The Nordic Model, Equality Model or in Canada's case, the Protection of Community and Exploited Person's Act (PCEPA), seeks to ensure the safety of all by reducing the demand for prostitution and focuses law enforcement primarily on individuals who purchase sexual services as well as on third parties who exploit individuals that sell sexual services.²

This same model provides support services and safety planning to those wishing to exit and those who are not able to exit. PCEPA also educates communities about the impacts of prostitution and sexual exploitation on the lives of future generations.

When speaking about young women and girls specifically, patriarchal, and sexist messages are taught consistently through media, school, families, and society. The media plays a powerful

¹ <https://www.justice.gc.ca/eng/rp-pr/other-autre/protect/p1.html> (a)

² <https://www.justice.gc.ca/eng/rp-pr/other-autre/protect/p1.html> (e)

role in teaching girls that their primary worth comes from being sexually desirable to men and make it seem acceptable for men to have and maintain power and control over women.

Women and girls between the ages of 12 to 21 are at the highest risk of being exploited. The average age of recruitment into prostitution is 13 to 14 years old. The most common way young women and girls are lured is through the promise of love and a better life. Traffickers will spend time getting to know the young woman or girl to gain her trust and in turn, she will then believe him to be her boyfriend.³

Canada needs this legislation to protect the most vulnerable before the trafficking laws need to come into play and the best approach to reduce sex trafficking is to continue to decriminalize the women and girls being exploited while criminalizing the sex purchasers and traffickers.

Some women and girls come to LAWC because they are being abused by their intimate partner, after a few sessions, it is revealed that the woman's intimate partner is also her trafficker. Many sexually exploited women and girls attending LAWC identify they have endured horrific torture and abuse from sex purchasers and traffickers. They report suffering from significant mental health issues and physical traumas from these experiences.

It takes an enormous amount of courage for women or girls who are being abused, assaulted, exploited, or trafficked to come forward to seek help.

Some women and girls have becoming involved in the sex industry independently but report they quickly end up under the control of someone else. Some women have reported that they were lured into the sex industry, some report that they entered for survival.

Most women report they are forced to have unwanted sex with multiple random men with some women saying they must meet certain quotas day after day.

The Protection of Communities and Exploited Persons Act (PCEPA) is increasing the safety, equality, and human rights of women by decreasing child sexual exploitation, trafficking for sexual exploitation, and the involvement of organized crime.

In December 2014, after the change in legislation, there have been fewer homicides of women in the sex industry. Homicide rates are going up but the number of victims of homicides that were identified as being involved with the sex industry between 2015-2019 was 35% less than before PCEPA. In the five years prior to the change in the law, the perpetrator was most frequently identified as being in a criminal relationship with the victim. This was less common after PCEPA where the perpetrator was identified as a casual acquaintance or a stranger.⁴

PCEPA has proven to protect those who sell their own sexual services. The number of women accused in sex industry incidents has changed dramatically. After the introduction of PCEPA, the number of women accused in sex industry related incidents under section 213 fell from 888 in

³ Sex Trafficking and Sexual Exploitation: Keeping Youth Safe, 2018.

⁴ Statistics Canada, Crimes related to the sex trade: Before and after legislative changes in Canada <https://www150.statcan.gc.ca/n1/pub/85-002-x/2021001/article/00010-eng.htm>

2010 to just five women accused in Canada in 2019.⁵ Far fewer women were found guilty and of those, none were sentenced to custody.

PCEPA recognizes that individuals who sell their own sexual services are prostitution's primary victims, but communities, in particularly children who are exposed to prostitution, are also victims as well as society itself. PCEPA recognizes that those who create the demand for prostitution, i.e., purchases of sexual services, and those who capitalize on that demand both cause and perpetuate prostitution's harms.⁶

In London, the London Police Service has launched "Operations Targeting Demand for Sexual Services". Since January 27, 2022, two men have been charged with communication for the purpose of obtaining sexual services from a person under 18 years old. This work is consistent with the legislation. Criminalizing sex purchasers is a threat to them. They fear being publicly identified; they don't want people to know who they are. Since the introduction of PCEPA, 41% more men have been accused of obtaining sexual services from a minor since the introduction of the legislation and most men were criminally charged.⁷

Research shows that increased demand for sexual services leads to higher rates of human trafficking for sexual exploitation to meet the demand. Research also shows that the decriminalization of prostitution leads to increased demand for sexual services. The human trafficking offences address the most egregious human rights abuses that take place in the context of prostitution.⁸

PCEPA significantly increases the safety, equality, and human rights of women by decreasing child sexual exploitation, trafficking for sexual exploitation, and the involvement of organized crime. It recognizes prostitution as inherently violent and exploitative. The legislation discourages demand for prostitution, which disproportionately impacts women and children and in particular, indigenous women and children.

The majority of women that come to LAWC for support want to leave the sex industry; however, most have no alternatives. Exiting the sex industry is extremely difficult because of poverty, homelessness, abuse, being lured and/or coerced, the need to survive, lack of education, social isolation, being controlled by a trafficker, and the list goes on. As a woman-centred agency, LAWC believes women and helps to provide them with real choices, choices that help them empower themselves rather than continue to be exploited. 0

"Prostitution is not a job like any other. In no job would Canadians tolerate the extreme physical, psychological, and emotional toll prostituted and sexually exploited women and girls are subjected to in prostitution. Canadians do not expect citizens to work in an environment where they are routinely assaulted, sexually harassed, raped, traumatized, and face increased

⁵ Statistics Canada, Crimes related to the sex trade: Before and after legislative changes in Canada <https://www150.statcan.gc.ca/n1/pub/85-002-x/2021001/article/00010-eng.htm>

⁶ <https://www.justice.gc.ca/eng/rp-pr/other-autre/protect/p1.html> (a)

⁷ Statistics Canada, Crimes related to the sex trade: Before and after legislative changes in Canada <https://www150.statcan.gc.ca/n1/pub/85-002-x/2021001/article/00010-eng.htm>

⁸ Prostitution Criminal Law Reform: Bill C-36, the Protection of Communities and Exploited Persons Act – Fact Sheet https://www.justice.gc.ca/eng/rp-pr/other-autre/c36fs_fi/c36fs_fi_eng.pdf

rates of homicide. There are no occupation and safety standards that can help eliminate the violence inherent in prostitution.”⁹

In 2017, as a result of a request for evidence-based research on the impact of the sex industry in Canada from the Prime Minister, LAWC launched an extensive research project studying the outcomes of the three most prevalent legislative approaches for the sex industry. The Nordic Model (also referred to as the Equality Model), decriminalization, and legalization. The goal was to determine the most effective approach for the safety of women and girls in our country.

The evidence-based key findings of the three prevalent legislated models of the sex industry from LAWC’s research are outlined below.

FINDINGS	NORDIC MODEL	DECRIMINALIZATION	LEGALIZATION
Demand For Prostitution	<ul style="list-style-type: none"> • Significant reduction in demand for prostitution 	<ul style="list-style-type: none"> • Increased demand for prostitution 	<ul style="list-style-type: none"> • Largest increase of three approaches in demand for Prostitution
Number Of Women and Girls Prostituted or Sexually Exploited	<ul style="list-style-type: none"> • Decreased number of women and girls sexually exploited 	<ul style="list-style-type: none"> • Larger number of women and girls sexually exploited than Nordic Model • Increase in underage child sexual exploitation 	<ul style="list-style-type: none"> • Higher numbers of women and girls sexual exploited for purpose of prostitution • Significant increase in underage child sexual exploitation
Sex Trafficking and Sexual Exploitation of Children	<ul style="list-style-type: none"> • Small number of women and girls trafficked into Sweden for sexual exploitation • Sex-trafficking is reduced and deterred under the Nordic Model 	<ul style="list-style-type: none"> • Increased prevalence of sex trafficking of women and girls • Police report that sex-trafficking is widespread in brothels in Sydney, New South Wales, Australia • Disproportionate number of trafficked victims are Indigenous 	<ul style="list-style-type: none"> • Increased prevalence of sex trafficking of women and girls • Child sexual exploitation significantly increased
Risk of Lethality	<ul style="list-style-type: none"> • Lowest risk of lethality by sex buyers • No women or girls murdered by johns in 	<ul style="list-style-type: none"> • Higher risk of lethality by sex buyers • Three women murdered by johns and 	<ul style="list-style-type: none"> • Highest risk of lethality by sex buyers • 28 prostituted women murdered by

⁹ Choosing the Nordic Model - <https://www.lawc.on.ca/wp-content/uploads/2019/01/Choosing-the-Nordic-Model.pdf>

FINDINGS	NORDIC MODEL	DECriminalIZATION	LEGALIZATION
	Sweden in 16- year period under Nordic Model	fourth by a gang member in 13-year period	johns over 15-year period in the Netherlands <ul style="list-style-type: none"> • 55 prostituted women murdered by johns and 29 attempted murders over 13-year period in Germany
Violence	<ul style="list-style-type: none"> • Significant decrease in number of prostituted women and sexually exploited girls subjected to violence 	<ul style="list-style-type: none"> • Higher number of prostituted women and sexually exploited girls subjected to violence 	<ul style="list-style-type: none"> • Significantly higher number of prostituted women and sexually exploited girls subjected to violence
Organized Crime	<ul style="list-style-type: none"> • Organized crime involvement in prostitution is deterred 	<ul style="list-style-type: none"> • Organized crime in prostitution is more prevalent • Substantial links of organized crime and gangs to prostitution • Organized crime involved in illegal brothels and massage parlors in New Zealand • Extensive involvement of organized crime in sex trade including criminal gangs linked with 40 brothels in New South Wales in Australia 	<ul style="list-style-type: none"> • Organized crime in prostitution most prevalent • Organized crime extensively involved in legal prostitution sector in the Netherlands
Living/Working Conditions	<ul style="list-style-type: none"> • No negative effect on safety or conditions for those in prostitution • No evidence of increased risk of physical violence or worsened living conditions for prostituted women and girls under the Nordic model 	<ul style="list-style-type: none"> • Health and safety conditions did not improve • Working conditions are riskier as demand for unsafe sex increased 	<ul style="list-style-type: none"> • Working conditions deteriorated and are riskier as demand for unsafe sex increased • No improvements in the Netherlands; generally poorer health and increased drug addiction

FINDINGS	NORDIC MODEL	DECRIMINALIZATION	LEGALIZATION
Power Imbalance: Power and Control	<ul style="list-style-type: none"> • Power and control of sex buyers, brothel owners, pimps and traffickers decreased • Decreased imbalance of power between prostituted women and sex buyers/pimps 	<ul style="list-style-type: none"> • Power and control of sex buyers, brothel owners, pimps and traffickers increased • Greater power imbalance 	<ul style="list-style-type: none"> • Power and control of sex buyers, brothel owners, pimps and traffickers increased • Greater power imbalance
Women’s Equality and Human Rights	<ul style="list-style-type: none"> • Prostitution is seen as incompatible with women’s equality and human rights • Upholds prostituted women’s human rights and gender equality • Patriarchal attitudes and behaviours changing demonstrably 	<ul style="list-style-type: none"> • Harm minimization approach inconsistent with women’s equality and human rights • Normalization of sexual inequality and commodification of women’s bodies 	<ul style="list-style-type: none"> • Harm minimization approach is inconsistent with women’s equality and human rights • Normalization of sexual inequality and the commodification of women’s bodies
Choice	<ul style="list-style-type: none"> • Overwhelming majority of prostituted women are prostituted because of constrained choice and limited options 	<ul style="list-style-type: none"> • Prostitution is matter of choice and ‘job like all others’ • Fails to recognize women’s choices are constrained • Large majority to overwhelming majority of prostituted women want to exit 	<ul style="list-style-type: none"> • Prostitution is defined as choice a ‘job like any other’ • Fails to recognize most women do not want to be prostituted and women’s choices are constrained • Large majority to overwhelming majority of prostituted women want to exit
Men’s Violence Against Women	<ul style="list-style-type: none"> • Recognizes prostitution as men’s violence against women • Prostitution is inherently violent 	<ul style="list-style-type: none"> • Inherent violence in prostitution is normalized • Harms in prostitution are characterized as workplace health and safety issues • Three percent of prostituted women report being raped by 	<ul style="list-style-type: none"> • Inherent violence in prostitution is normalized • Safety and welfare of prostituted women and girls is addressed through regulation and licensing • High level of violence in Germany:

FINDINGS	NORDIC MODEL	DECriminalIZATION	LEGALIZATION
		john/sex buyer over 12 months; 35.3 percent reported no choice but to have sex with a john/sex buyer when they wanted to say no	82% subjected to psychological violence; 92% sexually assaulted <ul style="list-style-type: none"> • Higher numbers of sexually exploited children and significant increases in child sexual exploitation in the Netherlands and Victoria, Australia • Increased number of children subjected to violence, rape, and assault by the sex buyers/johns

The evidence is clear in demonstrating that the Nordic Model is the only model to significantly enhance women’s safety, equality, and women’s human rights; and to decrease trafficking and child sexual exploitation, and the involvement of organized crime. It is also the only model that educates future generations about the value of women and girls.¹⁰

The London Abused Women’s Centre believes the work must have a goal of shifting the culture for future generations. No country can legalize or decriminalize prostitution without normalizing men’s violence against women and girls.

To that, we propose the following recommendations to the committee for the purpose of the study to review the Protection of Communities and Exploited Person’s Act:

1. The Protection of Communities and Exploited Persons Act be upheld and unaltered
2. The Government of Canada must work with police services at a municipal, provincial, and federal level to ensure implementation and enforcement of the law
3. The Government of Canada must provide an appropriate level of core funding to trauma-informed, woman centred agencies working with individuals involved in the sex industry and sexually exploited women and girls and fund specialized training on the legislation to federal, provincial, and municipal police services



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¹⁰ Choosing the Nordic Model - <https://www.lawc.on.ca/wp-content/uploads/2019/01/Choosing-the-Nordic-Model.pdf>