

Submission to the Standing Committee on Justice and Human Rights'  
*Review of the Protection of Communities & Exploited Persons Act (PCEPA)*

25 February 2022

by  
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Since 2005, REED has engaged in friendships with women in the sex industry and provided crisis intervention, practical assistance, and connections to resources and supports.

**After 15 years of relationship building, listening and learning, we know that:**

- Prostitution is inherently violent.
- Prostitution is an abuse of power that perpetuates inequality. The buyer has the money, the privilege and the power. The women being purchased are disproportionately racialized, poor, marginalized and Indigenous.
- Most of the women in prostitution were recruited when they were children, often from foster care or unstable, abusive home environments, by boyfriends.
- Prostitution arises in an environment of sexual inequality, in which women's bodies are objectified through porn, advertising, and a culture that glamorizes and normalizes women's value as bodies used for men's sexual gratification.

**Given these realities of prostitution, the Protection of Communities & Exploited Persons Act (PCEPA) – with the amendments listed below – will move Canada closer to achieving equality for women and to eliminating the harms to women and society which the sex industry creates.**

**1 PCEPA works to achieve women's equality.**

The Act recognizes the inequality that makes women vulnerable to recruitment into prostitution. As noted above, this vulnerability disproportionately affects Asian, Indigenous and other racialized women and children. In its Preamble, the Act makes clear that equality, and equality for women, is essential to any discussion of prostitution.

“Whereas ... it is important to protect human dignity and the equality of all Canadians by discouraging prostitution, which has a disproportionate impact on women and children;” and

“Parliament ... recognizes the social harm caused by the objectification of the human body and the commodification of sexual activity;” and thus that

“it is important to denounce and prohibit the purchase of sexual services because it creates a demand for prostitution.”

Canada can never claim that the human rights of women have equal priority to those of men as long as we allow the overwhelmingly male buyers, and others who profit from the sex industry, to sexually exploit the primarily poor, colonialized, and otherwise marginalized women. If Canada wants women's equality, implementing this Act to address the demand for prostitution is an essential step.

**2 Violence is intrinsic to prostitution. PCEPA seeks to eliminate harm to those who are prostituted rather than to simply reduce it.**

The Act states that, “the Parliament of Canada has grave concerns about the exploitation that is inherent in prostitution and the risks of violence posed to those who engage in it” and “wishes to encourage those who engage in prostitution to report incidents of violence and to leave prostitution.”

Studies of countries and regions which have **legalized or fully decriminalized prostitution** (such as New Zealand; The Netherlands; Queensland, Australia; and Germany) reveal **an exponential growth of people in prostitution in both its legal and illegal forms, as well as a significant increase in violence against those in prostitution.**

Investigations in Australia demonstrate a lack of protection for women; legal brothels linked to sex trafficking rings;<sup>1</sup> while police and government rely on reporting by the sex industry itself. Research in New Zealand shows that violence in the sex industry is widely recognized. New Zealand's official Health and Safety Manual for prostitution normalizes violence and coercion by advising prostitutes to 'identify potentially dangerous situations,' and to devise strategies 'to protect themselves.' The New Zealand Prostitutes Collective itself stated openly in 2016 that it was impossible to wipe out violence in the industry.<sup>2</sup>

Intending to improve conditions for women in prostitution and combat human trafficking in The Netherlands, the Dutch legalized prostitution in 2000. However, as Amsterdam's Mayor Cohen explained in 2016, women's sexual exploitation actually increased as did the numbers of Eastern European women being trafficked into the NL.<sup>3</sup>

Research shows Germany as the site of extreme violence against those in prostitution. Sex buyers self-identify very high rates of safe sex violations and their own acts of sexual assault, including murder attempts. Since 2020 some German Parliamentarians describe conditions in the sex industry as inhumane and advocate that Germany adopt the Nordic Model.<sup>4</sup>

In contrast, PCEPA seeks to eliminate harm rather than simply to reduce it. To end demand, rather than to accommodate it. Currently every jurisdiction in Canada spends endless time, human resources and money helping those who are harmed by the sex industry when we could instead address the demand and end the harm.

### **3. Give the law a chance to be effective by actually implementing it.**

Locally in Vancouver, BC, as in most places across the country, no training was given to police to implement the law. Within a year of its passing, a new government came into power stating their intent to repeal rather than implement the law, which instructed municipalities and police to ignore it also.

On the other hand, since the Nordic Model was enacted in Sweden in 1999, the result has been a reduction of violence, prostitution and no increase in human trafficking. (By way of contrast, in 2015 Germany had 70 murders of those in prostitution while Sweden had 0.)

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<sup>1</sup><https://www.smh.com.au/national/legal-brothels-linked-to-international-sex-trafficking-rings-20111009-11fxs.html>

<sup>2</sup><http://familyfirst.org.nz/wp-content/uploads/2021/11/IS-IT-WORKING-An-Evidenced-Based-Review-of-the-Decriminalisation-of-Prostitution-in-New-Zealand-Report.pdf>

<sup>3</sup> <https://endsexualexploitation.org/articles/the-failure-of-legalization-of-prostitution-in-the-netherlands/>

<sup>4</sup> <https://www.trauma-and-prostitution.eu/en/>

[https://www.cdusu.de/presse/pressemitteilungen/menschenhandel-effektiv-bekaempfen?fbclid=IwAR3OZvlo3Rr0WZYV9WwbvnDtJglzsh7MSgper\\_ltdYmyAxzR\\_SLoD5ihBZU](https://www.cdusu.de/presse/pressemitteilungen/menschenhandel-effektiv-bekaempfen?fbclid=IwAR3OZvlo3Rr0WZYV9WwbvnDtJglzsh7MSgper_ltdYmyAxzR_SLoD5ihBZU)

<sup>5</sup> The limits of ethical consumption in the sex industry: An analysis of online brothel reviews.

<https://www.sciencedirect.com/science/article/abs/pii/S027753951730239X>

Sweden decriminalized those used in prostitution; criminalized those (overwhelmingly male) who recruit, procure, pimp, promote, market and buy those who are prostituted; trained everyone in the legal system from local police through crown attorneys in inequalities of the sex industry and practicalities of addressing demand; and instituted ongoing comprehensive public education about women's equality. Within two years, more than 80% of the Swedish population affirmed the Nordic Model of law and public policy.<sup>6 7 8</sup>

### C. Proposed Amendments:

1. **Eliminate Section 213.** Those whose bodies are used in prostitution should never be criminalized.

Section 213 is inconsistent with the stated goals of the Preamble. Before the bill was passed, feminist and women's rights organizations argued vigorously for 213 to be removed. Instead, the government should **expunge criminal records** of those who have been prostituted to eliminate barriers for those who leave prostitution. Failure to act on this immediately undermines women's equality.

**Because Section 286.1 criminalizes purchase, police can target those who buy sex; thus prostituted persons need never be criminalized.** Instead of trying to create areas free of those who are purchased, the law focus on creating areas that are not attractive to the purchasers of sex. Simply put, if police apprehend those intending to purchase sex near schools, playgrounds and daycares are apprehended, prostituted people will not be in those areas.

2. **Budget funding to advance women's equality**, beginning with a Guaranteed Living Income and with social services such as addictions treatment; housing; childcare; trauma counseling; and employment training to benefit women.

3. **Include funding for federal campaigns to educate public about women's equality** and about the realities of sexual exploitation.

### In Summary

To be a truly feminist country, Canada should learn from the progressive feminist stance of Sweden, Norway, Iceland, Ireland, North Ireland, France and the European Parliament, who recognize the need to criminalize sex buyers. Instead of seeking only to reduce the male violence enacted against women in prostitution, the time has come for us to eliminate the market for it by stopping men from buying sex. Canada must recognize that women's human rights to equality and security of the person are incompatible with prostitution.

### ***Resist Exploitation, Embrace Dignity (REED)***

REED is a non-profit Vancouver organization. We stand with and for sexually exploited women and challenge the demand for paid access to their bodies.

[www.embracedignity.org](http://www.embracedignity.org)

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<sup>6</sup> Haggstrom, Simon. *Shadow's Law: The True Story of a Swedish Detective Inspector Fighting Prostitution*, 2016.

<sup>7</sup> [https://www.researchgate.net/publication/321254711\\_SWEDISH\\_LAWS\\_POLICIES\\_AND\\_INTERVENTIONS\\_ON\\_PROSTITUTION\\_AND\\_TRAFFICKING\\_IN\\_HUMAN\\_BEINGS\\_A\\_COMPREHENSIVE\\_OVERVIEW](https://www.researchgate.net/publication/321254711_SWEDISH_LAWS_POLICIES_AND_INTERVENTIONS_ON_PROSTITUTION_AND_TRAFFICKING_IN_HUMAN_BEINGS_A_COMPREHENSIVE_OVERVIEW)

<sup>8</sup> [https://web.archive.org/web/20110929034543/http://myweb.dal.ca/mgoodyea/Documents/Sweden/prostitution\\_fact\\_sheet\\_sweden\\_2004.pdf](https://web.archive.org/web/20110929034543/http://myweb.dal.ca/mgoodyea/Documents/Sweden/prostitution_fact_sheet_sweden_2004.pdf)