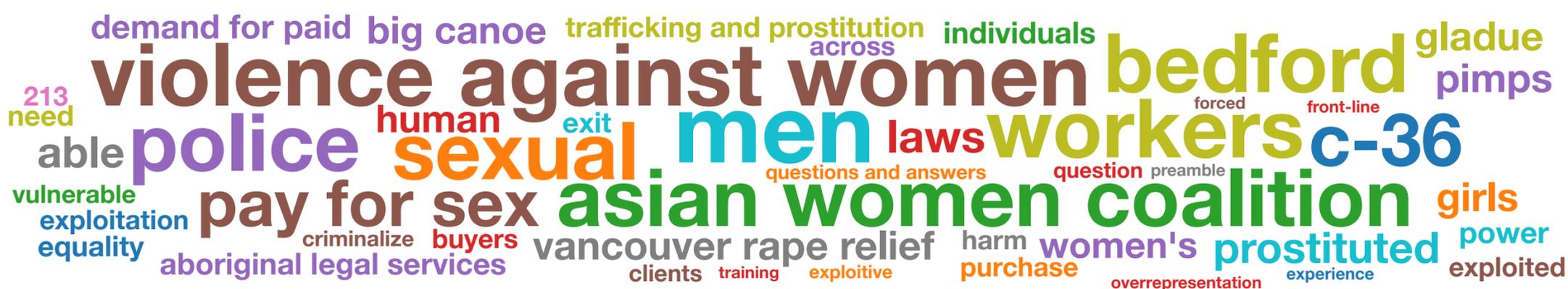


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Justice Committee on July 10th, 2014

Evidence of meeting #41 for [Justice and Human Rights](#) in the 41st Parliament, 2nd Session. (The [original version](#) is on Parliament's site, as are the [minutes](#).) The winning word was [men](#).

A [recording](#) is available from Parliament.



On the agenda

[Bill C-36, An Act to amend the Criminal Code in response to the Supreme Court of Canada](#)

MPs speaking

[Mike Wallace](#)

[Françoise Boivin](#)

[Joy Smith](#)

[Sean Casey](#)

[David Wilks](#)

[Ève Péclet](#)

[Stella Ambler](#)

[Pierre Jacob](#)

[Robert Goguen](#)

Also speaking

[Suzanne Jay](#) Member, Asian Women Coalition Ending Prostitution

[Alice Lee](#) Member, Asian Women Coalition Ending Prostitution

[Jared Brock](#) Co-Founder, Hope for the Sold

[Michelle Brock](#) Co-Founder, Hope for the Sold

[Keira Smith-Tague](#) Front-Line Anti-Violence Worker, Vancouver Rape Relief and Women's Shelter

[Hilla Kerner](#) Collective Member, Vancouver Rape Relief and Women's Shelter

[Christa Big Canoe](#) Legal Advocacy Director, Aboriginal Legal Services of Toronto

[Deborah Pond](#) Chair of the Board of Directors, u-r home

9:50 a.m.

Michelle Brock

Co-Founder, Hope for the Sold

At various points in the Bedford case, and in the past few days in this committee, there has been a debate over the average age of entering into prostitution. Some argue it's 14; some say 18.

When Mr. Lowman said before this committee that it was a preposterous claim that the average age is 14, I was reminded that one of our interviewees pointed something out. He said that even if you go with a conservative estimate of 18, that means roughly half of them began as minors, and that's considered, by definition, trafficking.

9:50 a.m.

Jared Brock

Co-Founder, Hope for the Sold

While Mr. Lowman would also like this committee to believe that the vast majority of women in the sex trade are not trafficked, it's likely that he doesn't fully appreciate the nuance of the word "choice", nor is it likely that he shares the same definition of trafficking that is widely accepted around the globe. Can we really believe that the vast majority of women in the sex trade have, for the complete duration of their commercial sex experience, worked completely free from threat, use of force, coercion, abduction, fraud, deception, the abuse of power, or positions of vulnerability? I frankly find that very difficult to believe.

9:50 a.m.

Michelle Brock

Co-Founder, Hope for the Sold

One thing that we learned on our filming journey is that laws have normative effects. We interviewed a police investigator in Sweden who was in his twenties when the sex purchase law came into effect. He remembers how it started a national conversation, even with his friends, about whether it was a human right to pay for sex.

9:50 a.m.

Jared Brock

Co-Founder, Hope for the Sold

I also think it's important that we need to speak to the issue of the Bedford case. Ms. Bedford being a case in point for why we should criminalize the purchase of sex in order to prevent trafficking, as a nation.

While it's rarely mentioned in the media, Ms. Bedford first entered prostitution as a 16-year-old —that's trafficking—to pay for her drug addiction and that of her 37-year-old, drug-dealing boyfriend. Over the course of 14 years, Ms. Bedford engaged in prostitution of all types, indoor and outdoor. By her own admission, she was raped and gang-raped too many times to talk about. Ms. Bedford is a textbook example of the type of vulnerability that traffickers will exploit when there are men who are willing to pay for sex. Many victims come from similar backgrounds, which involve foster care, child molestation, physical abuse, group homes, etc. Today Ms. Bedford is no longer in prostitution, and various reports state that she plans to become a madam if we fully decriminalize...thus profiting from the selling of the sexual services of others.

Let's take a moment to truly understand the situation. We have a former trafficking victim turned potential madam trying to dictate national policy. Ms. Bedford says that she has the right to sell her body. Again, we don't disagree; we just think that everyone else has the right not to be trafficked.

Would full decriminalization have saved Ms. Bedford? Would more demand in the market somehow have kept her safe? How about the thousands of women like her?

9:50 a.m.

Michelle Brock

Well, obviously, we can't dive into the intricacies of every facet of this issue in 10 minutes.

We encourage each member of the committee to see *Red Light Green Light* at some point over the summer. Please feel free to get in touch with us through our charity's website, hopeforthesold.com. We'll send you a free copy and maybe some popcorn too.

9:50 a.m.

Co-Founder, Hope for the Sold

Jared Brock

Here's the big question that we need to ask as a nation: what are we doing here? Is prostitution really the best that we can offer to our most vulnerable women and children?

Look, if our goal as a nation is to make it easier to pay for sex, then let's toss Bill **C-36** out the window right now. But if our goal is to create a more gender-equal country, to forge a nation that supports proportional rights, a nation that actually prevents sex trafficking, then let's seriously consider Bill C-36 as a great first step in the right direction.

The Supreme Court's core demand was to safeguard the personal safety of prostituted individuals. Let's take it a step further and safeguard the personal safety of every single person in Canada, for generations to come.

Personally, Michelle and I want to raise our future girls in a society where they're not at risk of being trafficked, and we'd like to raise our future boys in a society where they don't think they have the right to purchase other people's bodies.

Thank you for your time. I am 39 seconds over.

9:50 a.m.

Conservative



The Chair Mike Wallace

You're right.

9:50 a.m.

Voices

Oh, oh!

9:50 a.m.

Conservative



The Chair Mike Wallace

Thank you very much for that presentation from Hope for the Sold.

Our next presenters are from the Vancouver Rape Relief and Women's Shelter.

The floor is yours.

9:50 a.m.

Keira Smith-Tague Front-Line Anti-Violence Worker, Vancouver Rape Relief and Women's Shelter

Hi. I'll start, and then I'll be followed by my co-worker Hilla.

Good morning. My name is Keira Smith-Tague, and I'm a front-line anti-violence worker at Vancouver Rape Relief and Women's Shelter. Vancouver Rape Relief is Canada's oldest rape crisis centre. Since opening in 1973, our centre has responded to over 40,000 women calling our 24-hour crisis line and seeking our support to escape all forms of male violence against women, including prostitution. Our transition house provides safe shelter to over 120 women and their children escaping violent men each year.

Rape Relief is a collective of women of varying age and class, many of them women of colour and aboriginal women. Our collective, both historically and currently, includes women who have exited the sex industry. Our authority and knowledge on prostitution as violence against women is grounded in and advanced by our front-line work with women currently or formerly prostituted. We view prostitution as a form of male violence against women within a spectrum of men's violence, alongside rape, incest, wife assault, and sexual harassment. As such, we are

deeply invested in amendments to the federal government's Bill [C-36](#).

We know from members of our group and from women who access our services that the sex industry is both an expression and reinforcement of women's inequality in society. As such, many of the stated purposes of Bill [C-36](#) in the preamble are consistent with our analyses. We are encouraged by and in support of this intent. We are in agreement with the acknowledgement of the disproportionate impact on women and children of prostitution, as it is consistent with our front-line knowledge of the sexist and gendered nature of this industry. It has already been said a few times, but I do want to repeat it. Almost all of the buyers in prostitution are men, and almost all of those sold are women and children. This fact alone shows the stark power imbalance between men and women in this industry.

The argument that's been made throughout these hearings, that normalizing this practice by fully decriminalizing or legalizing it will enhance women's inequality, is absurd. Women are already born into a world with a disadvantage to men. We live in a society where men have more power than women socially, economically, and politically. Overwhelmingly, men use that power against us, often along with their physical force or threat of it. We see this perfectly reflected in their entitlement to buy us.

Before I even talk about the violence and exploitation that is an alarming reality in prostitution, I wanted to make clear the very foundation of this industry as a sexist and misogynist one, and on that basis alone should not be condoned or legalized. In both the Bedford case and this process, men's demands to sex are being argued as their rights, and are being promoted and advocated for over the rights of women to equality in Canada. It's women's lives that are at stake, not johns' and pimps', and we expect responsibility from all political parties to ensure that you're invested in promoting women's equality first and foremost.

I want to talk a bit more about consent, as it has come up over the past few days. The notion that the relationship between prostituted women and the men who buy them is a transaction between two willing, consenting adults cannot be applied to prostitution. In the Criminal Code of Canada, it explicitly states that consent cannot be obtained if there are "threats or fear of the application of force to the complainant or to a person other than the complainant" or "the accused induces the complainant to engage in the activity by abusing a position of trust, power or authority".

Consent cannot be bought. The very act of exchanging money or materials in return for sexual services reflects the coercion necessary by men in order to buy women.

We know from women who call our lines and live in our house that the source of the harm in prostitution is from the men who buy them and sell them, so of course we're completely in favour of those men being held accountable and criminalized for their behaviour. We are encouraged that the government has acknowledged the profit and power of advertisers of the sex industry, and are in support of the inclusion of them under those to be criminalized for their exploitative behaviour as well.

We know that the growth of trafficking is fuelled by the local demand by men, which increases the trafficking of women and girls both domestically and internationally. Therefore, we agree that it is necessary to denounce and prohibit the purchase of sexual services because it creates a demand for prostitution. Direct criminalization of purchasing sexual services in any location is positive, sends a clear message to men that buying women is not acceptable in Canada, and is consistent with the government's intent to reduce the demand. We find it appropriate to situate the new law under crimes against the person in the Criminal Code alongside other forms of violence and trafficking.

We commend the federal government's intent to encourage those who engage in prostitution to report incidents of violence and to leave prostitution. As we know, issues such as poverty, racism, childhood sexual abuse, and addiction overwhelmingly affect women in prostitution, both before entering and continuing afterwards. We also know that most women who enter prostitution enter as children and teenagers.

There are provisions in this bill that we find extremely concerning and think are inconsistent with what the government's stated intent was to achieve in the preamble. The provision that would criminalize women communicating in public places for the purposes of prostitution where persons under the age of 18 can reasonably be expected to be present is inconsistent with the understanding that prostitution is a practice that overwhelmingly targets, exploits, and coerces vulnerable women, and therefore their continued criminalization is in contradiction to the objective to protect them.

We are disappointed that this particular provision will target and punish the most marginalized,

those women forced to prostitute in public space who are overwhelmingly aboriginal women and largely impoverished, and we believe it is a dangerous step back in protecting them from men's violence. If the intent of the law is to protect exploited persons, then the location in which they are exploited should not determine whether they face criminal sanctions.

Rape Relief has argued that government funding be provided to alleviate women's impoverishment and help support women to leave prostitution. So we are encouraged that some federal money is included as an initiative alongside Bill [C-36](#). However, we do not think \$20 million is significant enough in reality to provide women with alternatives to prostitution. In order for women to have economic options other than prostitution, there must be funding and attention to the current conditions of women's lives in Canada. Women don't have enough money to live on in B.C. and across the country. We see this first-hand with our residents and their children and the numerous women calling us for shelter each day and night.

Women need a guaranteed livable income, adequate and affordable safe housing options, affordable child care, and more women-only detox beds in treatment centres, to be established in addition to the funding already allocated to exiting services. On top of these changes, we recommend that funding be allocated to existing women's groups already providing front-line services and should not be diverted to policing.

If passed, Bill [C-36](#) has the potential to set a precedent in Canada that the buying and selling of women and girls by men will not be tolerated and for this we are hopeful the government will listen and follow the lead of women's groups and survivors. Vancouver Rape Relief and Women's Shelter stands firm in calling for legislation to criminalize pimps, johns, and profiteers for their violence against women, but we absolutely cannot endorse any criminalization of women in this bill, and for this we call on the justice committee to remove this provision. As long as men view women as commodities that can be bought or sold and women face being penalized for their own exploitation, women will not have full access to participate as equal members of society.

10 a.m.

Hilla Kerner Collective Member, Vancouver Rape Relief and Women's Shelter

Through the hearings and beyond we heard a few opinions that criminalizing the men—the buyers and the johns—will put women in more danger, and Françoise, based on your Twitter last night, I am worried that you accept these opinions. Those who made this claim called for a harm reduction approach via complete decriminalization or legalization of prostitution, and I'm using quotation marks when I'm saying “harm reduction”, because these methods will not reduce the harm, on the contrary.

We heard that women will be safe if they can work indoors and my allies in the Asian Women Coalition Ending Prostitution made a clear argument about men attacking women in private behind closed doors. Men control women privately behind closed doors, and promoting indoor prostitution as a safety method is false. It will protect the pimps and the johns, not the women. We heard that if we criminalize the johns, “the screening”—again, in quotation marks—will be rushed. Women will not be able to use their intuition to decide whether or not the john is dangerous.

We reject the idea of privatization of women's safety and security, and we don't believe it will work in reality. We know from our front-line work that it's impossible to know who is a dangerous man. You cannot tell a rapist, a pedophile, or a wife beater by his look or by his manners in public.

A “sex workers” advocate—again, I'm using quotation marks—told us yesterday, as a way to assure us, that we need not to fear from the johns since they are ordinary men who come from all walks of life. This is not reassuring at all. Rapists and wife beaters, the father who rapes his daughter, and the boss who harasses his female worker, are all ordinary men from all walks of life, often professional and educated, as someone used those phrases yesterday. I repeat my ally's statement that the cause of the harm in prostitution is the men. Therefore, it's illogical that, in an attempt to reduce the harm, we encourage these very same men to have a paid access and control over women's bodies.

In prostitution, as in rape, wife battering, sexual harassment, and incest, we need laws that will deter and will hold men accountable for their sexist attacks on women. As in other forms of male violence against women, we expect the state—we demand that the Canadian state—will protect women from men's violence.



The Chair Mike Wallace

Thank you for the presentation from the Vancouver Rape Relief and Women's Shelter.

Our next presentation is from the Aboriginal Legal Services of Toronto.

The floor is yours.

Christa Big Canoe Legal Advocacy Director, Aboriginal Legal Services of Toronto

Good morning. Aboriginal Legal Services of Toronto would like to thank the members of the committee for inviting us to make submissions regarding this bill.

ALST, the acronym we use, is a multi-service legal agency serving Toronto's aboriginal community. Our only clients are aboriginal clients, or families who have aboriginal interests. Our guiding principles include that aboriginal individuals require equitable treatment in the Canadian justice system, access to legal and related resources within the justice system, as well as understanding of the system and their options within those systems. Aboriginal Legal Services' Anishinaabemowin name is *Gaa kina gwii waabamaa debwewin*, which translates into "All those who seek the truth".

The Supreme Court of Canada has granted us intervener status in 15 cases in which systemic issues affecting aboriginal peoples were addressed. As it relates to this bill, Aboriginal Legal Services' most noteworthy intervention was in *R. v. Bedford*. I was the counsel for Aboriginal Legal.

Aboriginal Legal Services objects to the passing of this bill because of the acute aboriginal overrepresentation in the criminal justice and penal systems, and the overall impact this bill will have on a number of aboriginal sex workers, their families, and communities.

We agree with a number of positions taken by POWER and Pivot in their written submissions, and the Lowman submission, "Tripping Point". Because we do agree on some of those points and because I have limited time, I will only focus on two areas of concern today. We do not believe that Bill **C-36** is consistent with the Gladue principles, nor is it charter compliant and consistent with precedent.

There seems to be a suggestion that two completely different and incompatible views have been presented to this committee: one from current or former sex workers, saying that the work is fine, empowering, and a completely autonomous choice; and the second view saying that sex workers are vulnerable, poor, addicted, and just surviving. From our perspective as front-line workers, not only in the Canadian justice system but in providing services—aboriginal community, justice-driven services—we say that these can both be true.

They can both be true because different people have different experiences. As my colleague and co-counsel on the Bedford intervention, Ms. Emily Hill, has pointed out to me, this committee should mostly be worried about the impact of the law on the second group, which everyone seems to agree includes an overrepresentation or disproportionate number of aboriginal people.

Another important point that Aboriginal Legal would like to make is that the government can do everything it's planning to do to support exiting for those who choose to, without also criminalizing sex workers. Neither of these groups of sex workers should be criminalized or put in harm's way because the law fails to account for their lives, liberty, or security of the person.

Our main concern that we believe the passing of the bill will raise can be talked about in two parts. The first part focuses on overrepresentation and Gladue principles, and the second part focuses on sex workers' rights to ensure safety.

Before we begin our discussions on these two points, we submit that laws and policy are not benign. We've heard in the media and through some of the witnesses here that it's not the law that rapes or hurts individuals. But we have to recognize that law and policy are not benign. Historically, laws in Canada have been used as tools of oppression that have attempted to assimilate aboriginal people. The state's legal and policy attempts at eliminating aboriginal people are significant. The treatment of aboriginal people in law and policy has arguably led to poor social determinants of health and hosts of issues that aboriginal people experience.

This was cited in "Forsaken", the report by the Oppal commission:

The long-term impact of these colonialist policies continues to be keenly seen and felt by the over-representation of Aboriginal peoples in nearly every measured indicator of social and physical suffering in Canada.

Law is not benign; law is purposeful, and law impacts us both beneficially and negatively.

Looking at the first part, when I was talking about aboriginal overrepresentation, this bill as it currently exists will criminalize sex workers through the communication provision. There is an overrepresentation of aboriginal sex workers—which all the witnesses seem to agree on—engaged in street-level and survival sex work. The acute overrepresentation of aboriginal women in the penal system, and the harm that incarceration or institutionalization causes aboriginal women, also applies to their families and communities. What we know of specific statistics is that three out of five federally sentenced women are aboriginal women.

What we also know is that a lot of those aboriginal women start off with minor records and administrative breaches that accumulate over time and see them coming back into the system, so that when they are charged with something they get longer sentences. This is known. It's well-documented. It's in a number of reports on aboriginal men and women.

One thing that we're excluding here, because the preamble and a lot of the submissions are focusing only on women, is that we also know there's a disproportionate number of aboriginal men and transgendered individuals as sex workers. It's important to understand that aboriginal men and women are affected when they're over-incarcerated. They serve longer custodial sentences, usually to warrant expiry; that means to the end of their sentences. They experience higher levels of discrimination while they're in custody and they're more likely to receive high-security assessment by virtue of being aboriginal.

These same factors are the factors that see enforcement and police over-policing certain parts of town that have aboriginal people. These are the same factors that relate to the discrimination that we saw in the Oppal report and in other reports such as the Aboriginal Justice Inquiry in Manitoba.

The Correctional Service of Canada is not meeting legislative goals. The disproportionate numbers of street-based sex workers, including those engaging in survival sex, are aboriginal and will be affected if criminal charges occur. The survival sex workers are the most vulnerable and the most marginalized of all prostitutes, and aboriginal survival sex workers experience higher levels of violence both in terms of incidence and severity.

In the past, we've presented submissions before the Senate on various bills that have recently come in. The omnibus bill, [C-10](#), and more recently, Bill [C-394](#). Essentially, our largest concern is that passing this act will result in the retreat, or undermining, of the principles as set out in section 718.2(e) of the Criminal Code, which the Gladue principles derive from. One of the biggest things that we're concerned about is the increased reliance on minimum sentences. This means there's less opportunity for appropriate and fit sentences, and this prevents judges from considering them as sentencing options.

For those who are incarcerated in the penitentiary system, which is three out of five aboriginal women who are federally sentenced.... Let me restate that. Three out of five federally sentenced women are aboriginal. For those who are incarcerated in the penitentiary system, realistically, they come out worse than they went in. We know this. They come out maybe no better, but often worse, with gang affiliations and substance issues and abuses they didn't have, and then they're released into the community without proper programming. The Supreme Court of Canada, in Gladue, stated that:

It is clear that sentencing innovation by itself cannot remove the causes of aboriginal offending and the greater problem of aboriginal alienation from the criminal justice system.

On Monday, [Minister MacKay](#) responded to one of the member's questions in that regard. He said that the law was consistent with Gladue, or that all laws have to be consistent. We respectfully disagree. The law, or the bill, hasn't taken into account the acute impact it will have on overrepresentation of aboriginal people if the communication clause that will criminalize sex workers is left in.

Based on what we know, incarceration in incremental amounts does not deter aboriginal offenders. That includes people who sell sex. The law, as it exists, and the law, as it exists pre-Bedford, doesn't deter the actual sale of sex. Arguably, what will happen is that criminalizing one element of it will do what happened in Vancouver, or the Downtown Eastside, where we saw aboriginal women largely, but a lot of sex workers, pushed into the darkened corner. These

are the types of submissions that POWER and Pivot made in their written submissions, which we agree with.

In Bedford, our intervention focused on the constitutionality of section 213 of the Criminal Code. It was our position that the communicating provision violated both section 2 and section 7 of the charter and that such violations were not saved by section 1 of the charter. We also had the position that the state had a much larger role in depriving street-level sex workers' rights to life, liberty, and security of the person and that the limited choices available to survival sex workers were constrained as a result of government action, the law, and the law not being benign.

One thing that we learned in Bedford, and we've heard talked about, is gross disproportionality and it's the only thing I'm going to focus on due to my limited time. Bedford spoke to the gross disproportionality between the infringement of the law and the objects of the legislation.

The object has been recognized to protect the neighbourhoods that experience harms associated with street-based sex work. That's what was determined in Bedford. The court said that the court must balance the harms that those neighbourhoods face with harms that street-level sex workers face.

We, at the time, submitted that the inconvenience and discomfort do not reach the same harm level as that experienced by sex workers who experience violence, sexual violence, and death. Quite frankly, we don't see a difference between what the bill is proposing and the law that was struck down as being grossly disproportionate.

Simple wordmilling by saying that it's about safety and not about nuisance is not enough. It's not the true measure a court will have to balance in determining constitutionality of charter rights, and it will always have to balance the safety of the person at risk.

I'll close with what Chief Justice McLachlin said at paragraph 121 of Bedford, which is:

Gross disproportionality under s. 7 of the Charter does not consider the beneficial effects of the law for society. It balances the negative effect on the individual against the purpose of the law, not against societal benefit that might flow from the law.

It is our opinion that the scope has not narrowed so much. This committee should ask themselves whether the legislative object has really substantially changed, or has there been some wordmilling.

10:15 a.m.

Conservative



The Chair Mike Wallace

Thank you very much for that presentation from the Aboriginal Legal Services of Toronto.

Now, via video conference from Boston, we have u-r home.

Ms. Pond, the floor is yours.

10:15 a.m.

Deborah Pond Chair of the Board of Directors, u-r home

Good morning. I would like to thank the standing committee members for this opportunity to speak about the tabled legislation, Bill **C-36**. This bill will impact the lives of prostituted individuals, their children, and generations to come.

I'm speaking today on behalf of the board of directors of u-r home, and as a retired police officer with the RCMP. u-r home is a faith-based, grassroots organization registered in Ontario as a not-for-profit.

u-r home was established in response to a community need for safe and secure housing for individuals choosing to exit their exploited situation. This need was identified by police officers, community agencies, front-line case workers, survivors of sexual exploitation, and prostituted individuals as a critical component in supporting their desire to exit their exploited situation.

u-r home's objective is to establish safe and secure housing and support services for victims of human trafficking, including forced sexual exploitation, forced labour, and forced marriage. We will build mentoring and supportive relationships with trafficked and prostituted women in their restorative journey as they seek to understand their inherent worth and dignity as valued persons in our society. We believe in the inherent right of every person in Canada to live with

dignity, equality, respect, and freedom from oppression. We do not subscribe to the belief that prostitution is an acceptable solution for the women, children, and men who are forced into prostitution due to racism, poverty, lack of opportunities, child abuse, or inequality.

We view prostitution as a form of sexual exploitation and work towards its abolishment. In a majority of occurrences, prostitution and human trafficking intersect, resulting in forced sexual exploitation. Project Safekeeping, an RCMP report, states the majority of pimps employ control tactics that would categorize them as human traffickers according to the Criminal Code.

Prostitution is not a victimless crime. It consumes the most vulnerable and marginalized persons in our society. We recognize that women, especially first nations women and youth, are overrepresented in prostitution. We believe that those who are prostituted are treated by the buyers and pimps as commodities with little value, and that the cycle of violence is inherent in prostitution.

u-r home applauds the government for its thoughtful work in the development of Bill [C-36](#) in support of prostituted individuals. The government is taking a proactive approach in not criminalizing the prostituted, who are victims of violence at the hands of the buyers and pimps. Yet it stops short of total decriminalization of prostituted individuals. I know of no other offence in our Criminal Code that criminalizes the victim. I would encourage each of you as committee members, as you study Bill [C-36](#), to amend and remove the provision that criminalizes those prostituted victims.

Regarding the purchasing of sexual services, this new offence would prohibit the purchase or attempted purchase of sexual services. In an article by UN Women on ending violence against women and girls, it encouraged drafters of sex trafficking laws to include criminal penalties for buyers to address the demand for the sale of women and girls for sex, and that penalties should be sufficiently severe to deter repeat offences. We believe that the same can be said in the drafting of our new prostitution laws.

Prostitution is built on the economic laws of supply and demand. If there is no demand from men for sexual services, prostitution would not flourish. In the study of Canadian adult sex buyers, it describes that buyers actively attempt to hide their sex buying from others, and experience some degree of anxiety or worry at the thought of being outed as sex buyers. The report further indicated that the buyers of sex had worried about being arrested for communicating in a public place for the purchase of sex.

Police and front-line agencies are seeing a trend of younger girls being forced into prostitution. Why? The buyers are demanding young girls. They want sex with a young virgin, so the pimps are supplying the demand by recruiting vulnerable young girls, often from group homes. We support the strong message that in Canada it will not be acceptable to purchase the body of another human being for one's own personal sexual gratification. If this legislation is passed, the buyers' conduct and the purchasing of sexual services would be illegal for the first time in Canada.

Profit, greed, and power are the driving forces for pimps, traffickers, organized crime groups, gangs, and businesses engaged in such criminal activities as forcing women, youth, and men into prostitution. Research shows that daily profits from one prostituted woman can be over \$1,000 a day, earning as much as \$280,000 a year, tax-free. A drug trafficker sells one kilogram of cocaine once, but a pimp sells a prostituted woman for an average of seven years, earning potentially millions of dollars in profit.

Addressing the purchase of sexual services is only one avenue to deter the exploitation of individuals. Seizing, restraining, and forfeiting the proceeds of crime—of everyone benefiting—is another effective tool that police officers can apply that will reduce sexual exploitation of vulnerable individuals. Forfeiting the assets and illicit wealth will take the profit from those who benefit.

We believe the advertising of sexual services both online and in print media that depicts women in sexual and degrading poses reinforces the sexual objectification of women. It has been said that women who grow up in a culture with widespread sexual objectification tend to view themselves as objects of desire for others. This internalized sexual objectification has been linked to problems with mental health, clinical depression, habitual body monitoring, eating disorders, body shame, self worth, life satisfaction, cognitive and motor functioning, and sexual dysfunction. Hatton, in a 2011 study, found that “Sexualized portrayals of women have been found to legitimize or exacerbate violence against women and girls, as well as sexual harassment and anti-women attitudes among men and boys”.

With regard to offences in relation to offering, providing, or obtaining sexual services for

consideration, the government has outlined a legal framework in this legislation that encompasses its view of those who are prostituted as victims, vulnerable, and in need of support and care. We believe it is inconsistent of the government to establish new legislation whereby prostituted individuals are regarded as victims in certain situations but not in other instances.

We do not support the offences as described in the proposed changes to section 213. These offences will criminalize the most vulnerable marginalized individuals in our society—those who engage in street prostitution, the majority of whom are women. These women, who are poor, often homeless, addicted, and suffer from serious health issues and post-traumatic stress disorder, need care and support, not revictimization. We do not believe the risk of violence that is inherent in prostitution would be diminished, but this offence would force those involved in street prostitution to make choices that could risk their personal safety.

Research and disclosure by prostituted women support the findings that they experience violence in many forms from both buyers of sexual services and individuals who exploit them for profit, and not from the law. Police in Christchurch, New Zealand, have stated, “At least monthly we are dealing with a working girl being victimised in some way, if not more.” The law needs to focus the responsibility of the inherent violence in prostitution and victimization of vulnerable individuals where it belongs, the buyers of sexual services and pimps.

The continuation of the criminalization of vulnerable individuals will only create additional barriers to exiting prostitution—namely, criminal convictions. This type of barrier has already created loss of opportunities for jobs and completion of college programs where, for many young women, the co-op programs require a clear vulnerable screening check by police. We believe those who are prostituted are not choosing prostitution. There is no criminal intent.

I understand that the \$20 million is not part of Bill [C-36](#), but I would like to address some comments in relation to this proposed funding.

We recognize the importance of a public awareness campaign and training for police on the application of the new laws, but these initiatives should receive separate funding. The training for police is critical to ensure the consistent application of the new laws across the country, unlike the current situation. Currently, some police services view prostituted individuals as victims and in need of rescuing from their pimps and buyers, and work in this manner. Other police services criminalize those who are prostituted, thus creating inequality in the application of the law.

We support the \$20 million in new funding. As many others have suggested, however, we strongly urge the government to dedicate sustainable long-term funding to the development of robust exit strategies and programs.

Survivors of prostitution have stated and shown that it is a difficult process for individuals to leave prostitution. Many of the social barriers that have been factors for entering prostitution such as poverty, housing, health, lack of opportunities, abuse, addictions, and survival can also be barriers for exiting. We know that legal prostitution for many is not a one-time event but individuals may exit and re-enter a number of times before they are successful in overcoming the barriers that keep them entrenched in prostitution.

It is essential that survivors of prostitution and prostituted individuals be included in the development of these exit strategies and programs. Many survivors have commented on the importance of developing relationships with a few trusted workers. Therefore, it is imperative that there is a continuity of resourcing and funding for staff retention in organizations that provide support and services to sexually exploited individuals.

Whether or not you amend Bill [C-36](#) as suggested, as an organization we would support the bill as tabled. We would continue to advocate for the total decriminalization of all prostituted persons.

I would like to conclude with the words of my friend Beatrice Wallace Littlechief, who speaks of being prostituted as a child and exiting prostitution many years later as a forever changed woman:

At 14 years old, I was forced to sell my body to a middle aged white man who said as I wept, that he would take it easy and then proceeded to have sex with me. I was also in fear of my life if I didn't follow through. I was alone and scared and only wished that there was someone there to help me. He thought this was ok to do this to me, but somehow mainstream society thought I was the one in the wrong. As the streets hardened me and death evaded me, I think back to those early days and compare

them to today with Bill C-36 coming to reality, and I am filled with joy and hope that this is going to save so many girls, especially First Nation girls like myself, from ever having to experience sexual slavery. We are vulnerable and left to fend for ourselves with pimps and evil just lurking and ready to grab us and eat us alive. There will be protection and exit strategies in place to help save these girls and woman who are trapped. For those that think prostitution is a chosen profession you are only fooling yourself, because what if your 14 year old came to you and said, I got a job as a prostitute, you would definitely not be jumping up for joy. I personally want to thank the government for finally stepping up and seeing myself and others in this plight as humans, as equals that deserve protection. I have been out for a long time but the scars are still there and always will be, but now there is finally hope.

Thank you.

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