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# Standing Committee on Justice and Human Rights

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Chair: Mr. Randeep Sarai





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• (1300)

[English]

**The Chair (Mr. Randeep Sarai (Surrey Centre, Lib.)):** I'm going to call this meeting to order. Welcome to meeting number three of the House of Commons Standing Committee on Justice and Human Rights. Pursuant to the motion adopted on Tuesday, February 8, the committee is meeting to review the Protection of Communities and Exploited Persons Act.

Today's meeting is taking place in a hybrid format, pursuant to the House order of November 25, 2021. Members are attending in person in the room, and remotely using the Zoom application. The proceedings will be made available via the House of Commons website.

With regard to a speaking list, the committee clerk and I will do our best to maintain a consolidated order of speaking for all members, whether they are participating virtually or in person.

There's one witness still trying to connect, but otherwise, I would like to welcome our witnesses.

I will be using cue cards, so if you are in the last 30 seconds of your remarks, and you see it, I will give you a warning without interrupting you. When you are out of time—I do not want to be rude—I will put up the out-of-time card.

I would like to call Cathy Peters as our first witness. If you could speak for five minutes, we'll then have the next witnesses speak for five minutes each as well, and then we'll have a round of questions.

Ms. Peters, please go ahead.

**Ms. Cathy Peters (Educator, As an Individual):** Thank you, Mr. Chair.

I'm a former inner-city high school teacher raising awareness about human sex trafficking and sexual exploitation for the purpose of prostitution, which is modern-day slavery.

Here are some stats. Thirteen years is the average age of recruitment and it's much younger for indigenous girls. In the Vancouver area, the target age has now dropped to 10 to 12 years old. COVID has made this worse. Traffickers are organized and sophisticated. Ninety per cent of the luring, grooming, buying and selling is online on social media platforms.

Fifty-four per cent of the sex trade is indigenous, and it's 70% to 90% in urban centres. They are severely overrepresented in the sex industry. I told the B.C. indigenous chiefs in front of Minister of Justice David Lametti that this is the most egregious form of sys-

temic racism in Canada. Eighty-two per cent who are involved in prostitution have experienced childhood sexual abuse or incest. Seventy-two per cent live with complex PTSD. Ninety-five per cent of those involved in prostitution want to leave: It is not a choice or a job. The vast majority of prostituted persons are pimped or trafficked, and organized crime and international crime syndicates are typically involved. Crime follows the money, and traffickers make hundreds of thousands of dollars per victim per year.

My goal is to traffick-proof every community in British Columbia and to stop the full decriminalization of prostitution in Canada by supporting the federal law, the Protection of Communities and Exploited Persons Act. I've been involved with sexual exploitation prevention for over 40 years and began raising awareness full time for the last eight years since PCEPA became federal law. In 2014, I began presenting to politicians at all three levels of government, the police and the public. I explained PCEPA so that the police would enforce it and the public would understand it and be able to report it

The law has four parts. Number one, it targets the demand by targeting the buyer of sex. The trafficker, facilitator or buyer of sex is criminalized. Number two, it recognizes that the seller of sex is a victim, usually female, and is immune from prosecution. Number three, exit strategies are in place to assist the victim out of the sex trade. Number four, there is robust prevention education so youth, children and the vulnerable are not pulled into the sex industry.

This law focuses on the source of the harm: the buyers of sex and the profiteers. The clear statement from Parliament was that girls and women in Canada are not for sale: They are full human beings with dignity and human rights.

In eight years, I have made over 500 presentations to over 20,000 people, not including the presentations that can be viewed online, but the turning point was last March when the Kamloops mass grave was reported. Since then, I have made over 200 presentations to city councils, regional districts, school boards, police forces, schools, frontline service providers and indigenous groups, including the missing and murdered indigenous women and girls gatherings in British Columbia.

I have three points.

Number one, PCEPA is not known or enforced in B.C. Therefore, B.C. is the best province in Canada to buy sex. Organized crime and international crime syndicates are typically involved.

Number two, PCEPA has never had a national rollout campaign. Some Canadians have not heard of the law, and the police are not getting the funding or training to enforce the law.

Number three, the sex industry wants to repeal PCEPA to normalize, commercialize and institutionalize the sex industry in Canada. If this happens, Canada will become a global sex tourism destination and America's brothel. Indigenous women and girls will be the first casualties. No Canadian would ever support this.

Consistent enforcement and the strengthening of PCEPA, combined with a robust educational campaign, are needed. Without the enforcement of the law, the sex industry will continue to grow rapidly. The review of PCEPA puts Canada at a tipping point. Repealing or weakening the law will have a catastrophic impact on this beautiful country of Canada.

In conclusion, I do not want anyone on this committee to be under any illusion that the sex industry is safe. It can never be made safe. It is a deadly industry. I have presented with the forensics RCMP officer who picked up and identified the body pieces on the Robert Pickton farm.

Trisha Baptie is presenting in the next hour. She is a survivor and was a journalist for two years at the Pickton trial.

• (1305)

Please read and understand the Robert Pickton case thoroughly. That describes the reality of the sex industry and how it works.

Thank you.

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

Is Dr. Chevrier online yet? No.

We'll go to Jennifer Dunn of the London Abused Women's Centre for five minutes.

**Ms. Jennifer Dunn (Executive Director, London Abused Women's Centre):** Thank you very much, Mr. Chair.

My name is Jennifer Dunn, and I am the executive director of the London Abused Women's Centre.

In Tuesday's session for this study, it was said that what is needed is less law, fewer statistics and more information from the ground from the most directly impacted, so thank you for having me here today.

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

Over the next few minutes as I talk to you about our work, I will be referring to our centre as LAWC. I will also be using the term

“sex industry” from time to time. The sex industry includes women who have been prostituted, sexually exploited and trafficked. LAWC does not use the term “sex work”.

During LAWC's last fiscal year, over 4,600 women and girls who were abused, assaulted, exploited or trafficked were provided with individual counselling and group support. 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. 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. This number includes at least 68 girls who reported that they were under 18 years of age.

Young women and girls between the ages of 12 and 21 are at the highest risk of being sexually exploited, groomed and lured into the sex industry, often by traffickers who manipulate them into believing they are in a relationship. LAWC recognizes prostitution as male violence against women and incompatible with women's human rights; it is the demand for prostitution that fuels sex trafficking.

The Nordic or equality model—in Canada's case, the Protection of Communities and Exploited Persons Act—decriminalizes women in the sex industry while criminalizing sex purchasers and traffickers. This same model provides support services and safety planning to those wishing to exit and to those who are not able to exit. It also educates communities about the impacts of prostitution and sexual exploitation on the lives of future generations.

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 that they have endured horrific torture and abuse from sex purchasers and traffickers. They report suffering from significant mental health issues and physical trauma from these experiences. They come to LAWC looking for support.

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

Women report being suicidal, and some die by suicide. Some women have significant substance use issues, because they are introduced to an addictive drug as a way for them to cope or a way for them to be controlled. Most women report that they are forced to have unwanted sex with multiple random men, with some women saying that they must meet certain quotas day after day.

You may never hear from those who are most vulnerable. They may not even know that the issues directly impacting their lives are being talked about at this very moment in the House of Commons.

Since 2014, after the change in the legislation, there have been fewer homicides of women in the sex industry, fewer women accused in sex trade-related incidents and more men accused of obtaining sexual services from a minor.

LAWC and other agencies like ours across Canada see women every single day who have been exploited and lured with the promise of, or hope for, a better life. The truth is that the sex industry is putting women and girls at risk every single day. Normalizing the sex industry by decriminalizing the purchasers and traffickers would set women's rights back decades.

The government has a responsibility to make decisions based on the best interests of all. This is not an individual issue.

Thank you.

• (1310)

**The Chair:** Thank you.

I'll go to our next witness, Dr. Claudyne Chevrier.

If you can just test the mike for about 10 seconds and say anything, such as how the weather is.

**Dr. Claudyne Chevrier (Ph.D., Community Health Sciences, As an Individual):** Good afternoon. I just want to make sure the mike works.

**The Chair:** We got a thumbs up and so your sound is good.

You have five minutes and then we'll have questions right after that.

**Dr. Claudyne Chevrier:** Thank you so much, Mr. Chair.

Good afternoon, everyone. I'm happy that I was finally able to join.

I'm here to share some insight from the research I conducted on sex work in Winnipeg, Manitoba, over the last decade. I completed a Ph.D. in community health sciences at the Max Rady College of Medicine at the University of Manitoba in 2020. My dissertation topic was on access to health and social services for cisgender and transgender women and non-binary people selling or trading sex in the city.

The methodology I used was ethnography in order to talk about access to health and social services. I needed to characterize what's happening politically and socially around sex work in Winnipeg and, of course, that's framed in the legal context, which for the entirety of my data collection was the Protection of Communities and Exploited Persons Act.

My research indicated that sex workers and people who sell and trade sex have poor access to health and social services, experience a lack of safety, serious stigmatization and barriers in accessing what they need. This relates to a general climate of indifference and stigma, which is framed by the current legal context. My research points to, among other things, the fact that policies, programs and laws should focus on approaches that prioritize the safety, health and well-being of sex workers on their own terms. One of the ways towards achieving that is the decriminalization of all aspects of the sex trade.

Before I tell you a little more about my research, I want to give you a clearer picture of who it is I talked to. I did formal, semi-structured interviews with 39 sex workers and people selling sex, 12 interviews with stakeholders and over four years of participant observation with sex workers' rights activists in the city. That's in addition to document analysis and literature review of local, national and international literature.

Of the sex workers and people who sell sex whom I spoke to, the average age was 36, and the range was from 20 to 55 years old. Among this group, 52% indicated that they were indigenous, aboriginal or Métis, and 17% said they were white. I asked everyone where they mostly meet clients, and the most common answers were on the street, in bars and online in order to meet in person. I am telling you all of this to give you an idea that I spoke to a very diverse group of people.

I want to give you one example from my research that is about the climate of a lack of safety for sex workers in Winnipeg under PCEPA. It also happens to be an example of a very important documented dynamic in Winnipeg, which is the aggressive silencing and erasure of sex workers' voices if they do not see their experience as exploitative. This is shown in my dissertation, and it's noted in other research as well. I won't talk about it too much here, but I wanted to point it out.

The example is that, in 2017, at a town hall meeting, Chief Dany Smyth of the Winnipeg Police Service, answered a question from a local sex workers' rights advocacy group, the Sex Workers of Winnipeg Action Coalition, about the safety specifically of sex workers under PCEPA and he stated that he believes that "My general view around the sex trade is that most people involved are being exploited in one way or another." He then added that he refers to them as "exploited persons, whether they be men, women or children".

Chief Smyth plainly stated that he does not think that sex workers exist in Winnipeg. I invite you to think about what that means when the chief of police does not think that you exist. Sex workers who were present who heard that said that it meant to them that they are not to expect recognition or protection from police services. This is especially true for populations that are already over-policed, like indigenous people and other racialized groups.

My research documents the unacceptable experiences of discrimination and stigmatization that most of my participants encounter in health and social services. Not everyone described experiences of discrimination, but everyone was concerned about it and used strategies to avoid it and to keep themselves safe from it. Stigma and the fear of it touched everyone.

Feelings that ranged from mistrust to outright anger and fear of the police were expressed by 12 of the people I talked to unprompted. One person I talked to, I called her “C” in my dissertation, was a 49-year-old indigenous cisgender woman who worked outdoors. After she told me that she would never report a sexual assault to the police, I asked her if she would be willing to share why with me, and she said: “Because I don’t like the police. It’s like because you’re in that area they look at you like a “nobody”.... I don’t even trust them. They’ve done things to the workers that not any normal person would. They just tend to degrade the workers on the street I know that.”

● (1315)

People I spoke to asked for services to be more compassionate, to use appropriate language, to educate themselves on the varied realities that exist in sex work, to hire more sex workers and, above all, to respect their humanity.

This was the most devastating result—

● (1320)

**The Chair:** You're going to have to conclude there, Dr. Chevrier.

**Dr. Claudyne Chevrier:** Yes, I'm so sorry. Thank you.

This was the most devastating result from my research. About 30 out of 49 people told me that they wanted to be treated like human beings. This is how terribly we are failing sex workers in our communities, in our programs, in our policies and in our laws.

Thank you.

**The Chair:** Thank you. You'll have some more time during questions to make some of your points.

For the first round of questions, I'll go to Mr. Brock, for six minutes.

**Mr. Larry Brock (Brantford—Brant, CPC):** Thank you.

I'd like to thank all three presenter—Ms. Peters, Ms. Dunn, and Dr. Chevrier—for all the important work you are doing in this particular area. Your comments and responses to a number of questions this afternoon will be very helpful for this committee in making recommendations.

I'd like to start off by questioning Ms. Peters. Ms. Peters, I am a former Crown attorney, and in that role I have specialized in prosecuting special victims of crime, particularly human trafficking vic-

tims and child victims. I also spent a great deal of time dealing with indigenous offenders and indigenous victims. I'm very much concerned about the fact that, although indigenous women and children make up such a small percentage of the population in Brantford, they are heavily and disproportionately represented as victims of human trafficking.

My riding in Brantford—Brant includes the largest Indian reservation in Canada, known as the Six Nations of the Grand River. I don't know if you're familiar with that particular reservation, but I'd like to ask you, specifically, what are your thoughts on what is happening in that particular jurisdiction and why, generally, do such a high percentage of indigenous women and children find themselves victimized?

**Ms. Cathy Peters:** My focus is really British Columbia and, of course, we have a huge number of indigenous people in B.C. I've had the opportunity and honour to present to missing and murdered indigenous women and girls gatherings. The women and girls give me the information. I've also done many extra presentations to indigenous youth workers, Vancouver Native Education College, and House of the Moon. There are many opportunities. They are the ones who tell me what is going on.

What the doctor was just saying is true. Typically, the problem is mistrust of police. They certainly will not report. That is a big problem. These indigenous communities also live with complex PTSD. I didn't know much about complex PTSD. That's another level. That is generational trauma. That is what indigenous women and girls live with; it's generation to generation.

Their communities are not necessarily the healthiest or safest places either. They have certainly told me that. There is childhood sexual abuse and there is incest that often takes place. They don't feel safe or free to talk about it or report it. It's this ongoing cycle that tends to go on from generation to generation.

The wonderful news is that indigenous women and girls want a voice. They're learning that they have a voice. I encourage them to express their voice. Yes, they're severely overrepresented. It's not just in your area; it's right across the country, and certainly in B.C.

The sex industry is now targeting indigenous women and girls very specifically. I've had young indigenous girls tell me that it happens online, and these traffickers will simply offer free drugs and alcohol. That's all it takes; it doesn't take much.

This is what we have to deal with and I think education is really key. That is what we are missing.

I want to add that PCEPA deals with the root cause, the demand. We've got to deal with the buyers. We've got to deal with the men and boys who are exploiting and buying. We've got to reach men and boys. I say to men and boys, "There's a sacred part of the woman you have no right to." I just said that to all the indigenous chiefs in B.C. That's where it's at. We have to deal with the root causes, and that is what this law does.

**Mr. Larry Brock:** Okay.

With the time I have remaining, I'd like to focus on the criminal penalties under Bill C-36.

As you know, Bill C-36 criminalized certain types of behaviours, which resulted in mandatory minimums, dealing with adults, of anywhere from four to five years, depending on the circumstances.

Do you feel that the changes in the legislation under the Criminal Code have had a required deterrent impact as a result of that legislation change?

• (1325)

**Ms. Cathy Peters:** That's an excellent question.

It has the potential to, if the law was actually enforced. The problem in B.C. is that it's not enforced. They are a provincial government. They don't go after the sex workers or the prostituted people who are in the sex industry. They get that piece, but they're not going after the root cause.

I'd like to see minimum sentences, at least, increased. The one case I was involved in that I had to speak to was Regina v. Alcorn. Did you all watch that? It was in Manitoba, where the young, underage indigenous girl was sexually assaulted, exploited, filmed and committed suicide. The judges in that case quadrupled the sentence of the predator, which was absolutely brilliant. Personally, I think it can be a deterrent if it's used.

Thank you.

**Mr. Larry Brock:** Okay.

A number of the witnesses we've heard from so far and a number of witnesses we're about to hear are going to be advocating for decriminalization of all prostitution laws as a means to safeguard our women and children. If that is not going to be the reality in the foreseeable future, can you offer any suggestions as to proposed amendments to the law to make a situation safer for women and children?

**The Chair:** Ms. Peters, please provide just a quick answer. You have 10 seconds.

**Ms. Cathy Peters:** I'm not a lawyer, but my brief has suggestions and I've submitted that.

**Mr. Larry Brock:** Thank you.

**The Chair:** Thank you, Mr. Brock.

Now we'll go over to Mr. Naqvi for six minutes.

**Mr. Yasir Naqvi (Ottawa Centre, Lib.):** Thank you very much, Chair. I thank the two panellists for their interventions.

Dr. Chevrier, I want to make sure that if you have a couple of last important points to make, I'm able to give you maybe a minute or two to quickly finish your point.

**Dr. Claudyne Chevrier:** Thank you. That's very kind. I was in a bit of a rush when I got here.

One thing I want to say is that my research shows there's a climate of stigmatization in Winnipeg. There's also a history of hostility in this regard to sex workers' perspectives in a way that falsely opposes sex their rights to the necessary protection of the victims of sexual exploitation and human trafficking.

Erasure and silencing of sex workers does not help sex workers. It does not keep them safe. It does not keep the victims of sexual exploitation safe. Criminalization of sex work does not protect sex workers or victims of exploitation. It is possible to support sex workers and to fight against trafficking and exploitation, and it's possible to do all of this at the same time.

I think the focus needs to be on safety. It needs to be based on evidence. There is a mountain of evidence in public health that points towards decriminalization of sex work, both nationally and internationally. There is also a mountain of evidence that comes from sex workers locally that I would urge everyone to look at.

**Mr. Yasir Naqvi:** Thank you.

Based on your research, has the law been effective?

**Dr. Claudyne Chevrier:** If you're asking me whether the law has made things safer for sex workers, it has not. There is research that has been done on this in public health.

For example, there's research from 2019, with 299 participants, that found 26.4% of respondents indicated negative changes to their working conditions since the enactment of PCEPA. That means it not only didn't stay the same, it got worse.

There's also research from Vancouver, actually, in spite of local policy guidelines particularly not targeting people, that shows that police presence leads to an increase in rushed client negotiations for sex workers. In this case, the research was with sex workers who use drugs. It was also associated with client-perpetrated violence and other markers of vulnerability. Therefore, the presence of the police is still increasing violence for sex workers.

There is another study, from 2021, with 200 sex workers in five cities in Canada, where 31% reported not being able to call 911 if they or another sex worker were in a safety emergency, due to fear of police detection of themselves or their colleagues or their management.

I could go on, but I don't want to drown everyone in statistics. I just want to say that, clearly, no, it is not working. It is not working for sex workers. It is not making their life safer, and it is not working for victims of sexual exploitation. It is not keeping them safer.

• (1330)

**Mr. Yasir Naqvi:** Based on your research and the other studies you were just citing, where are the gaps? Our purpose here is to review the legislation and develop some recommendations. This is your opportunity to highlight the gaps for us. What would you suggest that we, as parliamentarians, change in this legislation?

**Dr. Claudyne Chevrier:** I think that this legislation is based on the idea of ending demand, as was mentioned, and it still criminalizes parts of the sex trade. It still criminalizes clients and sex workers in many ways. I think that as long as there's criminalization of the sex trade, we're going to see poor health outcomes and social outcomes. That is what the literature points to internationally as well as locally.

An approach centred on evidence and done in meaningful consultation with stakeholders—sex workers who are currently working—is something that would be very useful.

I think another way in which [*Technical difficulty—Editor*] sex workers in Canada. It contravenes the Canadian Charter of Rights and Freedoms, and that's something that should be looked at [*Technical difficulty—Editor*].

Just to summarize, I would say that the criminalization, such as PCEPA, pushes sex workers underground. It pushes them to report less to police and creates barriers to their accessing the services they need, be it social services or health services.

In my research, I spoke to many people who were endlessly debating and creating complex strategies about whether to disclose the fact that they were a sex worker to health care providers or social workers, because they feared the implication this would have for their lives, for their colleagues' lives and for their families' lives. This is pushed by criminalization—by the fact that the sex trade is still criminalized.

**Mr. Yasir Naqvi:** Thank you.

Ms. Dunn, can I ask you the same question about effectiveness—

**The Chair:** Unfortunately, Mr. Naqvi, you're out of time.

**Mr. Yasir Naqvi:** Am I?

**The Chair:** Yes. I'm sorry.

**Mr. Yasir Naqvi:** I'll come back again. Thank you.

**The Chair:** We will go over to Madame Michaud.

[*Translation*]

**Ms. Kristina Michaud (Avignon—La Mitis—Matane—Matapédia, BQ):** Thank you, Mr. Chair.

I thank the witnesses for coming and giving evidence. We are very grateful to them.

I will in turn address you, Ms. Chevrier.

Bill C-36 was enacted in the context of the Bedford decision, which found that certain provisions of the Criminal Code at the time imposed dangerous conditions on prostitution. The bill had three major objectives: to protect those involved in prostitution who were considered victims of sexual exploitation, to protect communities from the harms caused by prostitution, and to reduce the demand for sexual services.

In light of your testimony, we understand that this bill has not protected people involved in prostitution. In fact, it has put them in even greater danger. I would like you to tell us more about this aspect.

I'd also like to hear you talk about the third objective, which is to reduce the demand for sexual services. Where do you think this goal came from? Do you think it has been achieved?

**Dr. Claudyne Chevrier:** Thank you very much.

You are right, the Protection of Communities and Exploited Persons Act was implemented in response to the Bedford decision. Unfortunately, the intention behind the Bedford decision was not followed. I am not a legal expert, but this is my opinion. As I explained earlier, sex workers—that is, people who sell sexual service—are still considered criminals.

I followed the discussions on Bill C-36, in which Senator Donald Neil Plett was one of the participants. I heard that the goal was to make it so difficult for everyone in sex work that it would force them to move on. But that's not what happened. Instead, the situation has been made very difficult for sex workers. New barriers have been created that prevent them from accessing the services they need.

The goal of reducing demand is a very strong idea among prohibitionists, among people who are against sex work. Unfortunately, there is no evidence that this works. For example, Sweden adopted a similar legal framework, in 1999 I think, and it did not work. The only data we have is that the demand may have dropped a little bit at first, but it has not continued to drop in a sustained way.

However, we know that there has been an increase in violence and harassment against sex workers. As a result, they now have to hide more from social services and the police.

I don't think this approach works. Furthermore, I feel that it goes against the idea that I have been advocating and that is supported by the research evidence, which is that we need to focus on the safety of people working in the sex industry.

Regardless of what some people think or feel about the sex industry, it exists and will continue to exist. Citizens who work in the industry have a right to be safe. They must have access to the same resources as other citizens.

• (1335)

**Ms. Kristina Michaud:** Sex work should therefore be decriminalized to ensure the safety of sex workers.

Having said that, I wonder about the legislation that we are currently studying. Do you disagree with all its provisions? Are you rather in favour of increasing the penalties for human trafficking? I would like to know your opinion on these provisions more specifically.

**Dr. Claudyne Chevrier:** I don't want to comment on something I'm not an expert on. My research area is sex work, not human trafficking.

However, I am not sure that increasing these penalties has really improved the situation of victims of human trafficking. I also want to mention that legislation that puts sex workers at risk does not help victims of sexual exploitation or victims of human trafficking, because it puts everyone at risk.

I think we need to think about this and perhaps use the excellent Canadian studies that have been done on the subject to find solutions that could help the victims of sexual exploitation and human trafficking. We must indeed help them, but without endangering the sex workers who are in this industry and who have the right to live off it.

**Ms. Kristina Michaud:** I don't think I'll have enough time to let you answer my next question, but I'll ask it anyway.

Your research focuses on the situation in Winnipeg, but can you still talk about the situation in Quebec?

**Dr. Claudyne Chevrier:** My Ph.D. is on the Winnipeg situation. I can talk about the situation in Quebec, but not with as much certainty.

[English]

**The Chair:** Thank you, Madame Michaud.

Next is Mr. Garrison for six minutes.

**Mr. Randall Garrison (Esquimalt—Saanich—Sooke, NDP):** Thank you very much, Mr. Chair.

I'd like to extend particular thanks to Dr. Chevrier for being with the committee this morning. I think it helps us focus on the purpose of this study, which is the impact of the law on those involved in sex work and not on moral judgments or ideological judgments of those who are involved.

I'd like to ask you a couple of specific questions based on your on-the-ground research. How does the current law, in criminalizing those who purchase sex, make the [Technical difficulty—Editor] work with their clients more dangerous?

• (1340)

**Dr. Claudyne Chevrier:** The current laws, because they criminalize clients, make it more difficult for sex workers to negotiate the consensual interaction they will have with their clients. That can mean that they make it more difficult to negotiate safer sex measures such as condom use. They can make it more difficult.

They also make it more difficult for them to communicate with their clients generally and use various safety measures that sex workers typically use. For example, some indoor workers might ask clients to provide some identification or some sort of proof of who they are [Technical difficulty—Editor]. Maybe they'd send it to someone they work with. All of that would be very difficult under

the current laws because it provides documentation. The client might be very reluctant to provide identification in order to do something that is criminalized under these laws, which, of course, makes it more difficult to ensure sex workers' safety.

They also make it difficult for sex workers to be able to report to the police or in general. In the two examples I gave from my research, they made it difficult for sex workers to trust the police. The police are charged with enacting a law that criminalizes, that is steeped in and is based on a legal framework that seeks to eradicate the work they do. All of that makes it very difficult for them to trust the police, especially when situations occur like the one with Chief Smyth in Winnipeg denying that sex workers exist, in his opinion.

**Mr. Randall Garrison:** Dr. Chevrier, I'll ask you about another specific aspect, the provisions in the current law that forbid those who work on the streets from being near certain public institutions. Can you talk about the impact of those provisions on the safety of those who are working on the streets?

**Dr. Claudyne Chevrier:** For people who work outdoors, those specifications, if you think about them, say that there are extra penalties, even, for people who are, as you mentioned, working or communicating around prostitution close to day cares, schools and churches. If you think about it, those are most places in a city. I know that in Winnipeg I can't be really far from one of those things at any point. That makes it very difficult for sex workers. It makes them very nervous to work in certain areas. That pushes them to go to certain areas that might be more remote, where there might not be cell service, where there might not be passersby and where it might be even more difficult to work in teams or with other people. Of course, all of that increases the chances of being victims of violence, especially since sex workers can be targeted by people for violence.

**Mr. Randall Garrison:** Certainly the other two witnesses told us their goal, which is to eradicate sex work. Can you tell us what you would see as the best outcome from a study like this? I know many people involved in sex work have been skeptical of this review. Can you tell us what you think might be the best outcome of this for you?

**Dr. Claudyne Chevrier:** In my opinion, the best outcome of this review would be to take a hard look at the evidence that has been produced by researchers and the feedback that has been received from sex workers. I do hope that you will hear from many more sex workers who are currently working and who are the main stakeholders in this issue. You will realize that this law is not doing what I believe people want it to be doing.

It is not keeping people safer. It is not making life safer for sex workers and for victims of sexual exploitation and human trafficking. This law, in my opinion, is supposed to focus on sex work and on the safety of sex workers. I would hope that people will conclude that this is not the way to go.

Again, I would invite everyone to look at the literature on public health internationally that focuses on decriminalization. Amnesty International recently came out for decriminalization. I also want to point you toward a position statement from the Canadian public health agency, which came out after PCEPA, that speaks of the importance of decriminalization for better health and social outcomes for sex workers in Canada.

I imagine that I have to stop talking right away, but I'll just say that the evidence is clear in public health: For health outcomes, for social outcomes, decriminalization is the way to go.

• (1345)

**Mr. Randall Garrison:** Thank you.

**The Chair:** Thank you, Mr. Garrison.

Mr. Moore, you have five minutes.

**Hon. Rob Moore (Fundy Royal, CPC):** Thank you, Chair.

You know, it's become clear that we could easily spend three hours with this panel, because there is so much great information being provided and so much expertise and real-life experience.

I think we have to be very clear as well. Bill C-36, which was a response to the Bedford decision, makes it very clear that selling your own sexual services is protected from criminal liability. It's already decriminalized. What people who are calling for full decriminalization now are saying that, obtaining sexual services for consideration, those who buy, sell and exploit.... As Cathy Peters and other witnesses have identified, the vast majority being exploited are women. That this should somehow be legal, that we should decriminalize the purchase and sale of Canadians, mostly women, many people, of course, reject outright.

You made a number of statements that I want to hone in on kind of quickly. One, you mentioned Canada's potential to become "America's brothel". You drew on your experience in B.C., where you said that the legislation that was passed in 2014 is not being enforced. You're seeing evidence of how different provinces are treating it.

Could you explore that a little further and how the failure to enforce this law leads to more victimization?

**Ms. Cathy Peters:** Well, absolutely. I mean, I'm an inner-city high school teacher. I didn't choose to sign up for this. When PCEPA became law, I just started thinking that I would start speaking to law enforcement and to the public to see if they knew about the law and if they were going to enforce it. They had never heard of the law.

I am eight years into presenting this—every single politician in British Columbia knows me—and I cannot believe it: They don't know the law. Even the provincial bureaucrats at our provincial government in public safety don't really understand the law. The phone is ringing off the hook. That's all I can say. I work on this full time, almost seven days a week.

I do want to point out a book, if you want research that's Canadian and national, entitled *Sex Industry Slavery: Protecting Canada's Youth*. This is the Ph.D. thesis by Dr. Robert Christmas. I have been

interviewed with him on radio and TV. He is a Winnipeg police officer, and he gets what this looks like.

The thing is that Ontario, because they understand about this—they have a human trafficking coordinator and their police are trained—are literally 30 years ahead of B.C. Manitoba has somebody called Joy Smith.

**Hon. Rob Moore:** Yes.

**Ms. Cathy Peters:** I don't know if you all know the name Joy Smith. She has introduced our three human trafficking laws. I have volunteered for her.

Anybody in Manitoba gets this issue. Alberta even gets it. You have Paul Brandt and #NotinMyCity programs there. In B.C., Vancouver has now become a global sex tourism destination, along with Tofino and Whistler.

I present to city councils all over British Columbia. I presented just this last week to a tiny community called Telkwa on the Highway of Tears. Indigenous women tell me that they're losing their girls. It's just going on and on.

I work very closely with law enforcement. I work closely with the RCMP headquarters, the Vancouver Police Department and the Victoria Police Department.

In Vancouver and Victoria, crime is spiking in both cities. There's sort of an attitude of "be scared of the police". There is this narrative of "don't trust the police" and defund the police. That has made this all way worse. On Tuesday, the Ottawa police officer talked about the real need for liaison officers in the schools. In Vancouver, New Westminster and Victoria they've been taken out. Organized crime moves in. This is about organized crime.

• (1350)

**Hon. Rob Moore:** Thank you for that response.

We don't have a ton of time, so we have to ask as many questions as we can in a short amount of time.

Jennifer Dunn, I want to give you a chance to speak as well about the work at LAWC. One thing you said is, "Canada needs this legislation". You used the word "incompatible" and said that we need to continue to criminalize the purchase and sale of human beings—mostly women. By taking the step to fully decriminalize, what we're saying is that you can buy people—mostly women—in Canada.

Do you want to expand on that from your experience at the London Abused Women's Centre?

**The Chair:** Give a quick answer, Ms. Dunn.

**Ms. Jennifer Dunn:** Thank you very much.

This issue impacts all of society. This is not what we want for girls in our community. We need to remember that men do not deserve paid access to female bodies. The human body is not a commodity to be bought and sold.

Women report to us every single day when they come through our doors that this is not what they want for themselves. We need to recognize the impact on our community in that regard and on the women and girls who are the most vulnerable.

**Hon. Rob Moore:** Thank you.

**The Chair:** Thank you, Mr. Moore.

Now, we go to Ms. Dhillon.

Ms. Dhillon, you have five minutes.

**Ms. Anju Dhillon (Dorval—Lachine—LaSalle, Lib.):** Thank you so much, Mr. Chair.

I'd like to direct my questions to Ms. Chevrier.

First of all, I'd like to ask you to please submit some of the literature and statistics you've mentioned throughout your testimony to the committee. We would really appreciate that.

First, you spoke extensively about sex workers and victims not being able to trust the police. They're even terrified of them. It's not the first time we've heard this. Most often, those who do the service that you do to help people bring this to us during their testimony.

Can you please tell us what can be done to encourage law enforcement officers to have compassion towards sex workers and recognize that they are often victims? Can you tell us what is wrong with the whole culture? Why is there this culture of not treating them like human beings?

If you could give us some concrete solutions, we'd really appreciate it.

Thank you so much.

**Dr. Claudyne Chevrier:** Thank you. That's a great question.

Those are big questions. I will do my best to tell you, and maybe I won't go into the research.... First of all, I will send all of the research. I will submit a brief, as well as all of the literature I mentioned. It's very diverse.

The issue with the police and people not trusting the police is very complex. Recent movement like Black Lives Matter and initiatives that seek to defund or be critical of the police have broadened the understanding that has been the reality of a lot of marginalized populations since forever. It's made it clearer for the general population, and I am thankful for that.

What would be helpful in general is a better understanding of the realities. This is something that was said to me by the people I interviewed. At the end of my interviews, I asked, "What would you like to say to service providers if I gave you a mike?" They had all sorts of things to say.

First of all, they wanted to be treated like human beings, which was devastating to hear, interview after interview. However, they also had concrete suggestions, such as having sex worker-led training for police officers and different service providers, and programs

to help police officers understand the varied realities that are included in the term "sex work". They would understand the difference between sex work, sexual exploitation and human trafficking, which are not synonyms and should not be used as such. They also asked for compassion training. I'm not quite sure how one does that with an adult, but it signifies how terrible things can be. Those would be concrete things that came from my research.

More generally, in a context where sex work might be decriminalized, it might make it easier for sex workers, when they have situations of violence in their lives related to sex work or not, to reach out to police officers or to whatever service they require, without fearing that they might be criminalized for sex work or something else, or that they might be pressured into giving their list of clients. Their list of clients might be good clients, and that's why they keep them.

In a context where it's not criminalized, it would make it easier for sex workers to be able to call the police. It would also make it easier for clients who see something that seems dangerous to intervene or to call the police. That would never happen in the context....

I want to quickly give the example of New Zealand, where sex work has been decriminalized since 2003. A few years ago, there was the story of a massage parlour worker who was able to make a complaint against her boss, who was sexually harassing her. She won that complaint and was compensated, as any other worker would be. It is unthinkable in Canada right now that a sex worker might be able to do something like that.

I wanted to end here.

Thank you.

• (1355)

**The Chair:** Thank you.

Thank you, Madam Dhillon.

Next, we'll go to Madame Michaud for two and a half minutes.

[*Translation*]

**Ms. Kristina Michaud:** Thank you, Mr. Chair.

This time I will address Ms. Dunn, who represents the London Abused Women's Centre.

I wonder about the impact of the pandemic on the sex industry.

An article in the National Post in April 2021 referred to an increase in clients at your centre that was attributed to the pandemic. It stated that from 2020 to 2021, the London Abused Women's Centre supported over 9,200 women and girls, 820 of whom were victims of sexual exploitation.

Could you tell us a bit more about the impact of the pandemic on your clientele, particularly on women and girls who are victims of sexual exploitation?

[English]

**Ms. Jennifer Dunn:** Thank you very much for the question.

The pandemic has had a serious effect for all Canadians. Specific to women and girls, it has been very difficult, because when we notice periods of what I'll call "lockdown" or where women and girls are told to minimize their traffic and where they are going, and schools are not open and that kind of thing, it makes it very difficult for women to access services.

This is for multiple reasons. Women might be trapped in their homes with their abusers or traffickers, and they do not have an opportunity to reach out for support. What our agency really focuses on is being able to provide immediate access to support and being available when a woman walks through our door or makes a call, so that we can provide her support as quickly and effectively as possible.

A lot of the work we do is around safety planning. If a woman comes to our door who has been trafficked or exploited, or is involved in the sex industry, we really and truly meet her where she is at and figure out what works best for her in the moment.

As I said, the pandemic itself has had a huge impact on the lives of all women and girls. Women who have been sexually exploited and trafficked are truly no different, and they are the most at risk. Women face violence and physical health issues—

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

• (1400)

**Ms. Jennifer Dunn:** Thank you.

**The Chair:** Sorry.

The next two and a half minutes goes to Mr. Garrison.

**Mr. Randall Garrison:** Thank you very much, Mr. Chair.

I will return to Dr. Chevrier. This question I was asked stretches all the way back to when I was on city council and dealing with the PEERS, the prostitutes' empowerment society located in my riding. Why don't those involved in the sex trade use the social services that are available to everyone else? Why do advocacy groups end up having to provide special services for those involved in sex work?

**Dr. Claudyne Chevrier:** I can go back to my research, but there is also extensive research on access to health and social services for sex workers all over the country. There are a lot of reasons. There are passive barriers as well as active barriers that come in the way.

Passive barriers might be things like the geographic location of the place, or the hours they're open, or the fact that they are only for a specific gender, which might make it difficult for people to access those services. It could also be stigma, fear of stigma—and it's not just people being sensitive. There are horrifying experiences of stigma in all health and social services, even in very progressive ones.

One thing that is very specific in Winnipeg that I think exists everywhere, from the literature, is that there will be specific services that are for people in the sex trade, but they will only be open to people who have a specific experience in the sex trade. For example, they will implicitly or explicitly tell people that they have to re-

fer to their experience as exploitation or human trafficking in order to receive services. Sometimes that is something that is implied, or they will counsel people in that way. That makes it difficult for people to go there. That was the situation in Manitoba at the beginning of my research, where there were no services offered.

Finally, I would say that the context of criminalization also is a huge barrier, because it makes people worried that disclosing that they are sex workers, which sometimes is relevant to do, might lead to inappropriate involvement of different agencies or services such as law enforcement or child protection services that might be inappropriately called.

**Mr. Randall Garrison:** Thank you very much, Dr. Chevrier.

**The Chair:** Thank you, Mr. Garrison.

Thank you to all the witnesses. I really appreciate the testimony and the time you have given to this committee.

Next I'll just suspend for a few seconds while we get the next set of witnesses on. Thank you. Those who wish to log off may log off.

• (1400)

(Pause)

• (1405)

**The Chair:** We'll resume the meeting.

I'll ask the witnesses, starting with Ms. Baptie, to speak for five minutes. After Ms. Baptie, we'll go to Ms. Hon Chu and to Ms. Barile after that, and then we'll have some questions.

We'll go over to you, Ms. Baptie.

**Ms. Trisha Baptie (Founding Member and Community Engagement Coordinator, EVE):** I want to thank the committee for giving me this opportunity.

I would like to convey quite a few thoughts, and I'll be speaking a bit fast, so feel free to tell me to slow down.

I sit here before you as a survivor of 15 years of prostitution from the ages of 13 to 28. For the first six years, I was viewed as a minor in need of support to transition to a healthier life. At midnight on my 19th birthday, I was an empowered woman choosing this, with no regard for my history or the fact that I knew nothing else, like so many others involved in this.

For the most part, you will not hear me use the term "sex worker", as we do not believe it can be a job. Whether you call it "sex work", "sugar baby" or "escort", it all ends in the same thing: acquiescing to men's sexual demands. Men's role as the root problem of prostitution is often lost in all the other noise that goes along with prostitution, and that is the behaviour I want to focus on today, as that was the goal of PCEPA and why we support PCEPA. I encourage you to read the preamble. We find it encouraging and really a blueprint for our country.

I'm from Vancouver. In the nineties, I lost some of my friends to Canada's worst serial killer. We also dealt with other forms of physical and sexualized violence that too many in prostitution know intimately. I want to be clear here. It was not the law and it was not stigma that beat, raped and killed me and my friend: It was men. It was not the location we were in that was unsafe: It was the men we were in that location with that made it unsafe. It was not just one type of man: It was men from all walks of life.

The demand is not for a 40-year-old woman with a degree. It demands a steady stream of preferably naive young women. I know that human trafficking is not the focus here, but to ignore the connection does a disservice to the multitudes of women and girls facing that very real threat. We do not traffick young women for nursing or to be an MP; they're trafficked to fulfill men's sexual demands. If we fully decriminalize or legalize prostitution, we will always have beds that will need to be filled, for which young women are saying, "We'll do that." If we choose decriminalization or legalization, essentially we are saying, "Yes, we'll always have a place for you to purchase sex." Do we really want that for Canada, for our girls and our young women?

All this begs the question: How are men being able to pay for sex helping to create an egalitarian society? How does men purchasing sex foster a safer society for all women and girls?

How do I know women and girls aren't safe? Because there are parts of my city—every city—where men they feel they have the right to ask anyone on the street if they're working—grandmothers, teenagers, anyone. If we're even more honest, it's typically the poor and racialized parts of town.

I'm going to go over four quick points in PCEPA and then wrap it up. This is what it says:

Whereas the Parliament of Canada has grave concerns about the exploitation that is inherent in prostitution and the risk of violence posed to those who engage in it;

...Canada recognizes the social harm caused by the objectification of the human body and the commodification of sexual activity;

...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;

Whereas it is important to denounce and prohibit the purchase of sexual services because it creates a demand for prostitution;

This is not about hating sex workers or wanting them eradicated. This is about ending a practice that relies on inequality, sexism, racism, colonialism, mental health issues, addictions and other issues.

- (1410)

We are here to discuss the five-year review of this law, but this law has not been applied across the country in any uniform way. It has not been given an opportunity to create real change or benefit those who need it.

There is no way we can have reliable statistics on the effect of this law when there are some parts of the country that still haven't even heard of it. We need more time with this law to watch it grow, to have it fully take hold and to help change society.

Thank you very much for hearing me out.

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

I'll go over to Ms. Ka Hon Chu.

**Ms. Sandra Ka Hon Chu (Co-Executive Director, HIV Legal Network):** Thank you for having me here today. I'm a lawyer and co-executive director of the HIV Legal Network, an organization which has worked alongside sex workers since our inception almost three decades ago to advocate for laws and policies that uphold their human rights.

I want to talk about a study I co-authored three years called, "The Perils of 'Protection'", which explores sex workers' experiences of law enforcement in Ontario. We spoke to Black, indigenous, Asian and other racialized sex workers, migrant sex workers, trans and 2-spirit sex workers and sex workers who worked in conditions of extreme precarity. Some participants worked independently and others worked with third parties, such as managers, drivers, peers, translators, security, bookers, webmasters and receptionists who provided them with critical support and infrastructure to work safely.

Universally, our study participants told us that the enforcement of the Protection of Communities and Exploited Persons Act, or PCEPA, which continues to criminalize sex workers' public communication, has fuelled stigma, violence and exploitation against sex workers, challenging the fallacy that the law protects them. Moreover, the law has not accomplished any of its stated objectives.

For example, sex workers continued to work after the passage of the law. Criminalizing sex work has not changed the reality that sex workers still need access to income to support themselves or their families. While they continue working, sex workers described the negative financial impacts of their encounters with police, who are empowered by the law to surveil them.

As one woman described, "[The police] want to put our clients in jail. So it affects us greatly.... And then because it affects our financial, it affects all other aspects of our life...our basic needs like shelter, food, clothing, love.

Additionally, some sex workers described how criminalization limited prospects of employment outside of the sex industry. A 2-spirit sex worker who had previous sex work criminal charges described to me about being unable to pursue a career in nursing, because vulnerable sector screening revealed those convictions.

Participants also shared how criminalization forces sex workers to put up with poor working conditions and incidents of violence. Criminalization has forced third parties and workplaces to conceal sex work, so sex workers can neither access decent working conditions nor report harassment or violence, because their employers and peers are consequently scrutinized as third parties or human traffickers.

According to one participant, “A woman was blackmailed and robbed by many gangsters, so she tried to call the police to stop the violence.... The police came in and the officer did not investigate the blackmail or the robbery, but gave them a warning that they needed to move out immediately. The police did not ask, “What did the robber look like?” but “Who rented the place to you? Who introduced you to work here? Who helped you do the advertisement?”

Another participant explained how constant police surveillance has led some women who can no longer work independently in public spaces to work for third parties that they don't know.

As you've heard other speakers describe, the PCEPA has discouraged reporting of violence by sex workers. This is reinforced by multiple research studies. Most sex workers we spoke to indicated that they would never go to the police for help, especially if the abuse happened in the context of their work. Some sex workers, and particularly racialized sex workers, were criminally charged when they contacted law enforcement for assistance. Several participants described how reporting violence to the police resulted in their workplace being investigated or shut down, forcing them to move to remote areas without access to their safety networks and putting them at greater risk of exploitation.

Knowing that sex workers and their employers are unable to seek police assistance, one participant described how predators frequently target sex workers' workplaces for robbery.

All sex workers shared how the laws and law enforcement presence have led to their isolation, increasing their risk of targeted violence and other abuse. Many described how the prohibition on purchasing sexual services has scared clients, who request to meet in more secluded locations, and has forced hurried encounters. This hampers sex workers' ability to take measures to promote safety, such as screening, communicating about the terms of service and negotiating conditions to sexual activity with a client.

This undermines sex workers' ability to establish consent to the sexual activities in which they engage. As one participant shared, “[Clients] don't even want to have the initial conversation on the road, which is a lot more dangerous for girls, because you want to have your agreement before you get in.”

Another participant described how the advertising prohibition affected her safety: “If I can't do the communicating that I'm used to doing online then it's going to force me [to communicate] in that moment when I meet that client. Boundaries are important.... If you're not able to communicate ahead of time, it puts you in a rush to go through your boundaries, your prices, and everything.”

More broadly, criminalization has contributed to sex workers' experience of numerous other harms, including workplace and residential eviction; repercussions on family life and child custody;

limitations to sex workers' mobility, because their identity as sex workers comes up in database searches by border control agents; detention and deportation for migrant workers found to have contravened immigration regulations prohibiting migrant sex work; and impediments to practising safer sex.

● (1415)

The most marginalized sex workers, who already face racial and social profiling, faced the most severe impacts of the PCEPA. These findings are also reflected in an extensive body of research comprising numerous peer-reviewed studies and investigations from human rights organizations and multiple UN agencies. They consistently confirm that the criminalization of any aspect of sex work undermines the human rights, autonomy, health and safety of sex workers.

We urge this committee to centre on the experiences of sex workers, who have been profoundly harmed by this legislation, and we recommend a repeal of the sex work offences.

Thank you.

**The Chair:** Thank you, Ms. Ka Hon Chu.

Next is Daphne Barile for five minutes.

**Daphne Barile (Coordinator, Québec Trans Health Action):** Thank you, members of the committee, for giving me the chance to testify today.

I work as the coordinator of ASTTeQ, a community group in Montreal by and for transpeople.

Since 1998, ASTTeQ has offered services, accompaniment, legal information and peer support, particularly to transwomen who are homeless, migrants, and those living with HIV and/or sex workers. ASTTeQ is the only organization primarily devoted to working with trans sex workers in Quebec and, as far as I know, in all of Canada. ASTTeQ's work with sex workers is funded by the federal government.

The sex workers I work with every day are not asking us for help to leave sex work. They want to continue doing sex work for diverse reasons, some in order to attain economic self-sufficiency or to support their families; some to supplement social service payments, which aren't enough to make rent; some because they experience transphobic or racist discrimination in legal labour sectors; and some because their immigration status prevents them from working in other jobs.

The women who frequent ASTTeQ are asking us, rather, for help responding to problems caused by the criminalization of their work. They come to us because their landlords are threatening them with eviction after finding out they do sex work from home. They come to us because constant police surveillance in their spaces has left them with criminal charges, which could lead to incarceration in a men's prison or could imperil their immigration status. Many of the women ASTTeQ work with are newcomers to Canada who have come in search of a life safe from anti-trans hatred, discrimination and violence, yet PCEPA has denied many of these women the life they were promised by forcing them into unsafe working conditions and by exposing them to the harms of constant police presence.

PCEPA has not and will not eliminate sex work in Canada's trans communities. Instead, it has simply made sex work less safe. The majority of the transpeople who frequent ASTTeQ experience poverty and live in precarious circumstances, and PCEPA has made their lives even more precarious by pushing them into dangerous, unlivable, working conditions. They cannot work together with other members of their community for safety or develop collective measures to screen clients. The threat of police and criminal charges has forced them to work in isolation, far from the city centre, where there are no community resources. Even for those who are never charged with a criminal offence, the constant threat of criminalization forecloses their possibilities in life and prevents them from creating even basic forms of stability and safety for themselves.

ASTTeQ recently conducted research for a qualitative study commissioned by the Department of Justice Canada on a wide range of serious legal problems faced by trans, two-spirit and non-binary people in Canada. The content of the report has been approved by the Department of Justice, and it is awaiting translation before publication. Our research found the following:

For many participants, the criminalization of sex work obstructed their access to stable income, safer working conditions, trans community supports, and/or gender affirmation. Several participants explicitly identified the current criminal legislative framework related to sex work as a source of unsafe work conditions or of fear (e.g., fear of contact with law enforcement, repercussions on other aspects of their lives such as their immigration status, housing, and income taxes).

One of the aims of PCEPA was to reduce violence and exploitation in the context of sex work. In this, too, it has utterly failed. Many of the trans sex workers in our study avoided police contact at all costs, including after being assaulted at work, because contact with the police and being known to the police as a sex worker created a cycle of worsening legal problems for them, such as criminal inadmissibility within the immigration system, increased barriers to housing and employment and escalating criminal charges exacerbated by constant and sometimes violent encounters with the police. Improved police training or access to legal resources would not resolve these women's legal problems, because PCEPA itself

has caused these problems. It's PCEPA that gives police the power to enter their homes and workplaces.

In recent years, the federal government has made numerous efforts to expand basic rights and protections for transpeople, but these rights and protections are totally inaccessible to the poor and marginalized transpeople I work with and will be until PCEPA is repealed and sex work is decriminalized in Canada.

Thank you.

• (1420)

**The Chair:** Thank you.

For our first round of questions, I'll now go to Mr. Morrison, for six minutes, please.

**Mr. Rob Morrison (Kootenay—Columbia, CPC):** Thank you, Chair. I want to thank the three participants this afternoon. It's really your expertise that we are looking forward to in order to move forward with this.

My question is going to be for you, Ms. Baptie.

I worked in downtown Vancouver for a little bit. I have a fairly extensive law enforcement background. I know you said you started at 13. We had an Ottawa police officer who came forward on Tuesday. The real concern she was talking about was the age of the girls who are now being targeted for sex work or prostitution. It's almost unbelievable: It's at 11 years old, 10 years old.

Can you give us some of your experience, at least from the downtown core of Vancouver and what's happening in British Columbia.?

**Ms. Trisha Baptie:** I don't think it's just the downtown core of Vancouver. The problem is social media, by and large. Now we have ways for predators to access younger and younger people via apps and different websites. There are a lot of young girls who are struggling with very big issues, and those predators know that and they prey on them. It's very intentional.

I was working with a 16-year-old who was living in a \$2,500 a month townhouse in Kits. How is she paying for that? We don't know what is happening there.

Yes, it's getting younger. Yes, it's getting more scary, which is why we need to be focusing on the problem, which is the demand. If men weren't demanding these younger and younger girls, they would be able to live in peace.

We also need to talk about what happens to women and girls when they leave. What is the trauma they are living with after they escape from the violence, the rape, the situations they find themselves in.

I was 13. That was a pretty common age back then. I was in a group home. Most of my friends were indigenous—so, racialized. But it's not uncommon. That's what we really need to be getting out. It's not uncommon, and the core of the matter is men demanding it.

**Mr. Rob Morrison:** Thanks so much.

I want to follow up with your experience, especially in the last five or six years. What do you think we could do, moving forward, to really have an impact, especially in helping our youth before they become so embedded in this criminal life, with our organized crime and gang activity and so on? How do you feel? What would you say to us if we were to do the following so many items, so many things, so that we could have a really good impact?

• (1425)

**Ms. Trisha Baptie:** We need to put a lot more into mental health for youth, but I'm actually going to answer that with a two-second story.

I went to Sweden to look at how the law impacted women and communities in Sweden. I went to a high school, because they had been living with the law for eight or nine years and I wanted hear how the law affected how they thought of themselves. I was in a high school with 15- and 16- and 17-year-olds all talking about prostitution, all talking about it as self-harm. They would report their friends if they found out they were doing it, because it's a harmful practice. It's not good for them, not good for society.

Then, I was like, okay, that's great, we understand prostitution is a form of harm for all of society, but what about pornography? How do you feel about that?

They looked at me, and as a North American I couldn't understand it for a minute or two, and they said, we would never date anyone who was involved in any of that, because that's not what they want for themselves. That is the level of self-awareness and self-esteem that I want for our girls here. I want our girls to say, I will not put up with this behaviour, because I am worth more than that.

**Mr. Rob Morrison:** I have just one final question. We've had a lot of comments on law enforcement and policing. I just wonder how your relationship is with Vancouver, or I guess metro Vancouver. Do you work with them? Do you find that the liaison people are co-operative with you in helping out?

**Ms. Trisha Baptie:** We do have interactions with the liaison people through different coalitions, etc. Vancouver police are very clear that they're not interested in practising this law. They have been very clear that this isn't an issue that they're going to target. It's a bit of the wild, wild west out here, but yes, we do have contact with the liaison officers. They seem to understand what's happening and the point of PCEPA perhaps more than other officers.

**Mr. Rob Morrison:** Okay.

I want to thank you for the courage to come before this panel and share your stories and what's happened. It will really help us out.

Thank you so much.

**Ms. Trisha Baptie:** Thanks for having us.

**The Chair:** Thank you, Mr. Morrison.

Now we'll go to Madam Diab.

**Ms. Lena Metlege Diab (Halifax West, Lib.):** Thank you, Mr. Chair.

Thank you very much to the three of you for coming today. As you know, our work is not easy as parliamentarians, but in this panel here, we're specifically looking at one piece of legislation that was enacted. It has now come up for review.

There has been a lot of talk, and we only started last week with this. We have a number of sessions where we will hear the views and opinions of different people, organizations, etc. We hear a lot about women and girls who are in different sectors of our country—indigenous, Black, racialized, young 13-year-olds, minors. We talk about sex work. We talk about exploitation. We talk about trafficking. I recognize that these are all different scenarios. We have laws for some of these things. I hope we do; whether or not they're applied uniformly across the country is a question for another day. Today, though, we're looking at this specific act that deals with the issue we're dealing with.

Sandra—if you don't mind me calling you Sandra—can you talk to me from your perspective, please, about this specific piece of legislation that we're looking at? What would you do to make it better?

**Ms. Sandra Ka Hon Chu:** Yes. Thank you for the question.

I want to quote the Supreme Court of Canada in Bedford. It's a case we intervened in almost 10 years ago. The Supreme Court said at the time that a law that prevents sex workers from taking basic safety precautions is “a law that has lost sight of its purpose”. I think that is what we have here with PCEPA. You heard about the research I've conducted. You've heard from other researchers. There's extensive evidence since the passage of PCEPA that shows the law absolutely prevents sex workers from taking very basic safety precautions, and that has affected their safety. It has fuelled exploitation.

When you conflate sex work with human trafficking, it means that it's all meaningless. What is exploitation when everything is conflated? I often hear also from sex workers that they are often the people who can identify situations of abuse or exploitation within their industry, but when they or their clients or their peers and managers are all criminalized, they will not go to the police. You heard the reporting statistics. It's horrendous how few sex workers, especially indigenous and racialized sex workers and migrant sex workers will go to the police in any circumstance, even in the most violent situations they might experience, because people are preying on them with impunity. They won't go to the police.

I think the only answer is to fully repeal the Protection of Communities and Exploited Persons Act.

• (1430)

**Ms. Lena Metlege Diab:** Daphne—if I may call you Daphne—you serve a unique clientele. You talked about newcomers. My heart really goes out to all newcomers, but particularly to those newcomers. You're right that they've come to Canada for a better life.

From your experience and the work that you are involved in within your organization, which you say is probably the only one in Canada doing this, can you please shed a little bit more light on whether this is a Montréal, Québec only phenomenon? Is this across the country?

I'd like to get a little bit more feedback from you, please. What can we do with this act?

**Daphne Barile:** It's certainly not just a problem in Montreal. I can speak personally at the very least for all of Quebec. We end up working with people and newcomers to Canada who are all over Quebec.

As I mentioned during my initial remarks, actually in recent years it's become less and less of an exclusively urban phenomenon because so many trans sex workers fear constant surveillance by police, and it has driven many of the people I work with at AST-TeQ into suburban or exurban circumstances where there are fewer community supports. When I say "fewer community supports" I mean trans community supports and community supports for migrants and people from their cultural communities. That kind of isolation has really contributed to violence and the danger they experience at work. It's made it very difficult for newcomers to Canada to realize the dreams they had when they came here to live safely as who they are in accordance with the gender identity they have.

For many of them it's quite a shock because they have been told, they've been promised as asylum seekers, as refugees, what have you, that Canada is a place where transpeople can live without constant fear of violence. Then they come to Canada and they experience extremely unsafe working conditions. They have no recourse to any kind of legal solutions for any violence they might experience at work. They have constant police surveillance and the police are profiling them for being trans, profiling them for being migrants and are constantly threatening criminal charges that could undo their immigration status and send them back to the countries they had to flee.

**Ms. Lena Metlege Diab:** Thank you.

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

I'll next go to Madame Michaud from the Bloc for six minutes.

[Translation]

**Ms. Kristina Michaud:** Thank you, Mr. Chair.

I thank the witnesses for their presence and their testimony.

Ms. Ka Hon Chu, you talked about the Bedford decision and the context in which the act was brought into force. Since that time, lower courts have found that parts of the act were unconstitutional and made it more difficult and less safe for sex workers. You said that, in the end, it didn't change much, because the women contin-

ued to work. It did not change their reality. In fact, it affected the way they could do their work.

You started answering the question earlier, but I would like to hear more from you.

What should we do with this law, which we are reviewing today? Should we erase everything and start again, or should we change some parts of it? Are there some provisions that are better than others and that have a reason to be there? Should we decriminalize sex work completely?

In short, what do you think the solutions should be?

This is a debate that divides the general population. I would like to hear what you have to say about it.

• (1435)

[English]

**Ms. Sandra Ka Hon Chu:** As you know, in the Supreme Court of Canada decision, the court struck down three provisions: living on the avails of prostitution, common bawdy house, and communication.

The PCEPA actually reinscribes those very same provisions, adds the prohibition on purchasing and a prohibition on advertising. Nothing has changed. The harms that the Supreme Court of Canada found almost a decade ago are still happening, as you heard from the research. This means that this current law is still unconstitutional; it will not withstand charter scrutiny. The same harms are occurring, and there are reams of research to prove that.

Even though there's a new legislative objective that says it's claiming to eliminate and discourage sex work to promote reporting, you heard during my presentation that it's not meeting any of those legislative objectives. It's not even rationally connected to this idea of feminism and gender equality when you realize that you're putting sex workers in harm's way and also denying their personhood by stigmatizing them.

Dr. Chevrier, in the last presentation, talked about wanting to make it so dangerous that sex workers would just leave the industry. That is not a feminist model and cannot withstand constitutional scrutiny.

I would say there needs to be a wholesale repeal of PCEPA. There's nothing about it that is.... The law is irredeemable.

[Translation]

**Ms. Kristina Michaud:** Thank you very much.

I would also like to hear from Ms. Barile what we should do with this legislation.

[English]

**Daphne Barile:** I agree completely with what Sandra just spoke to. I think that until this law is repealed completely the people that I work with at ASTTeQ will not be safe. They'll not be able to work safely. That does mean the decriminalization of sex work, because it's the threat of criminalization that they live with every day that drives them into unsafe working conditions. Also, then, it's also the actual legal problems that result from the constant presence of police in their lives, and they'll persist as long as PCEPA exists.

When PCEPA is overturned, then we'll be able to see potentially safer working conditions for sex workers in Quebec.

[Translation]

**Ms. Kristina Michaud:** So I understand that no real legislative change could improve the situation.

Do you think there are other solutions to support women and make sure they are safer while working?

You work with organizations that provide assistance to these women, girls, and people who work in the trade in general or who have it as their chosen profession. What kind of solution could you provide to make them safer?

I would like to hear Ms. Barile's comments.

[English]

**Daphne Barile:** Well, I think those resources already do exist, and there are community supports and community organizations. Certainly, in Canada's trans communities, it's the trans sex workers that come to community organizations like ASTTeQ, because they trust that we understand the realities they experience at work. They rely on organizations like ours to help them resolve the problems that they come to us with. If they come to us and they say that they're experiencing unsafe conditions at work, then we refer them to the resources they need or we help to offer legal information that might help them resolve those situations on their own terms.

I think the real solution to issues of unsafe conditions in sex work is sex worker community supports. I think that's one of the most harmful parts of PCEPA: It prevents sex workers from working together, from sharing information about how to work safely and from creating safety measures for each other and looking out for each other. Certainly, in the trans community, that has historically been so important for maintaining trans sex workers' safety. It's the ability to work together, and PCEPA expressly prohibits that.

• (1440)

**The Chair:** Thank you. I'm sorry, but I'm going to have to go to the next questioner.

Mr. Garrison, you have six minutes.

**Mr. Randall Garrison:** Thank you very much, Mr. Chair.

I'd like to thank all three of the witnesses for being with us today, and in particular Ms. Baptie, for sharing her personal stories with the committee. I know that's never an easy thing to do.

I want to start with Ms. Ka Hon Chu.

I think she raised a very important question about the constitutionality of this law. To me, that relates to the point that people tend to say that the sale of sex is not criminalized in Canada, and Ms. Ka Hon Chu has given some examples where that's simply not true. I wonder if she'd like to expand on that.

**Ms. Sandra Ka Hon Chu:** Absolutely: We know that subsection 213(1.1) is a new provision that was introduced under PCEPA that criminalizes public communication in places near children—schoolyards, day cares and parks. There's also the section 213 that was not struck down under the Bedford decision, which is about

impeding traffic for the purpose of prostitution. Obviously, sex workers are living in fear of criminality when their peers, their managers and their workplaces are criminalized. That has impacts on their ability to report.

Sex workers also, in many cases, are third parties themselves. Daphne talked about working in collectives and working with other people who provide mutual support and services to one another, and they are caught under that net of criminality. In the research I did, we talked to sex workers who've been charged under third party offences—the material benefit or the advertising or the procuring ones—because they were providing that service to another sex worker. They're absolutely still criminalized under the new laws.

**Mr. Randall Garrison:** I know the work your organization has done in the fight against HIV. I'd like to give you a chance to make the connection here—which I think a lot of people here haven't made—as to how this bill actually has a negative impact on the fight against HIV.

**Ms. Sandra Ka Hon Chu:** Thank you, Randall, for that question.

When you criminalize communication in the purchase of sex, people aren't able to negotiate the terms of the transaction in a clear and concise way to say what they're willing to do and for safer sex measures. That impedes that communication and ability to negotiate safer sex measures.

We also hear from sex workers in managed work places that they don't keep condoms and other safer sex devices on site because finding them is evidence that you're doing sex work. It's criminal. A lot of condoms and other safer sex practices are not necessarily promoted because there's that level of secrecy and concealment.

I also wanted to share a statistic with you. Research was done a couple of years ago that looked at regimes where they criminalized versus decriminalized sex work. This research found that decriminalizing sex work reduced new HIV transmissions by 33% to 46% in the next 10 years in those jurisdictions. That is a huge amount. It all circles back to the ability to negotiate, communicate and have an open workplace where workplace health and safety is promoted.

I have just one more point, if I can, Randall.

When you decriminalize, you also give sex workers access to occupational health and safety standards, employment legislation and all the things that other decriminalized sectors experience. Those promote health and safety in the workplace.

**Mr. Randall Garrison:** I'd like to give Ms. Barile a chance to respond to that same question about the impact of this law for trans sex workers and HIV.

• (1445)

**Daphne Barile:** That's a great question. Thank you so much, Randall.

As I'm sure you all know, there are criminal laws surrounding the transmission of HIV currently in Canada. This, in combination with the criminalization of sex work, creates numerous complications for people who are surveilled by police because they are known to police as sex workers or suspected to be sex workers.

In the study I mentioned that was commissioned by the Department of Justice, there was one story that I'd like to tell on that subject. One of the participants in the study was assaulted in the context of her life as a sex worker. She reported the assault to the police and in the process of reporting, she disclosed her HIV status to the police. The police then disclosed her HIV status to her assailant. She ended up with criminal charges for the transmission of HIV when she was reporting her own sexual assault to the police.

This is exactly the kind of issue that prevents sex workers from accessing any form of safety from the police. It stems from the way sex workers are treated by the police whenever they come into contact with them. It leads to a climate of fear. It leads to a climate where sex workers are less likely to even get tested for HIV because they fear that if they are exposed as HIV-positive or if they have evidence that they're HIV-positive, it will be used against them by police in the future.

All of that becomes extremely complicated in a context where sex workers are constantly being surveilled by the police. It discourages them from getting the health supports that they need. It prevents them from accessing safer sex materials as well.

**Mr. Randall Garrison:** I know I'm out of time, so let me just thank you for the important work that you and your organization do in the community. I'm very pleased to learn of the existence of your organization and look forward to working with you in the future.

**The Chair:** Thank you, Mr. Garrison.

We go next to Mr. Lawrence for five minutes.

**Mr. Philip Lawrence (Northumberland—Peterborough South, CPC):** Thank you.

Thank you to all the witnesses.

I will just start with the comment that everyone should feel valued, loved and safe. If there's anyone, particularly in my riding but also anywhere across Canada, who feels they can't go to the police and are in an unsafe position, I'd personally take that call and do everything I could to help that individual. If anyone in my riding particularly is feeling unsafe and they feel like they can't go to the police, please pick up the phone and I am more than happy to help them.

That being said, I'd like to direct my question to Ms. Baptie.

First of all, thank you very much for your testimony and for sharing your story. It is greatly appreciated. I know the strength it must take to share your story and to give this testimony.

You mentioned in your testimony that you would like to see this legislation take root or to be fully implemented. How do you think we could do that? How do you think the police could help with

that? How could government officials help this legislation be more effective?

**Ms. Trisha Baptie:** I'm going to talk again about the time I had in Sweden, because they had enacted the law. What they did, which is perfectly doable here, is to educate police and Crown attorneys about not only what the law is but the intent of the law. The intent of the law is to create a safer Canada and to eradicate prostitution because we don't see it as a fair and equal trade. We don't see it as something we want to continue in our society.

We need to educate everyone from beat cops right up to the Crown attorneys. We can do that in a number of ways. We have city cops, we have RCMP. It can be as simple as sending out a directive that those officers can then talk about, or it can be like a travelling panel that goes to all the different districts and does the education. Canada is a pretty big country compared to Sweden, so we might have to get a little creative with that, but I don't think it's impossible.

In our world now everything is done on Zoom. There's no reason we couldn't have Zoom calls with multiple police officers informing them, educating them, and then their going on and talking to their colleagues and the ones they're in charge of.

There's another thing they did. Not only did they do police education, but they also did social education on billboards, on the side of buses, everywhere. They explained why they had passed these laws and what the intent of these laws was. It was a social as well as political campaign that came together to help foster this change in the country.

• (1450)

**Mr. Philip Lawrence:** Thank you for that.

There's probably some very serious disagreement on this panel between what percentage it is, but I think all would admit that at least some women are being manipulated or forced into this type of work.

For that percentage, whatever that might be, and we don't need to have that debate, are there other ways we could amend this legislation to stop—and call a spade a spade, it's going to be men mostly—men manipulating in other ways and coercing individuals against their will into this type of work?

Ms. Baptie.

**Ms. Trisha Baptie:** You're asking how do we stop women from being coerced into this?

**Mr. Philip Lawrence:** Yes. Are there amendments we could make to the legislation?

**Ms. Trisha Baptie:** I think the amendments to the legislation...get rid of section 213. They don't need to face charges for the situations they find themselves in. We've already said that in the preamble.

I don't understand the thinking that women aren't going to the police if they've been harmed. I know women who have gone to the police. I think police may need.... Police still don't really deal with issues that women live with by and large very well, like domestic violence, rape, sexual assault. We still need to be educating the police on these. I think we just need to roll in the PCEPA in all of that.

**The Chair:** Thank you.

**Ms. Trisha Baptie:** This is not about punishing women; this is about changing men's behaviour.

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

Thank you, Mr. Lawrence.

I'll next go over to Ms. Brière for five minutes.

[*Translation*]

**Mrs. Élisabeth Brière (Sherbrooke, Lib.):** Thank you, Mr. Chair.

I thank the people in front of us for giving personal testimonies. We know that it can be more difficult, so we are very grateful to them.

Obviously, the aim of the committee is to protect sex workers and improve the situation.

In January of this year in Winnipeg, we put an end to the licensing of escort agencies and massage parlours, among others. Human rights advocates were pushing for the repeal of these licences. They felt that these changes were necessary to stop sexual exploitation and abuse. Conversely, women workers in the industry were opposed to this measure because they feared negative consequences. For example, they felt that the repeal of licences could drive them underground, increasing their concerns about their safety.

Ms. Baptie, I would like to know your opinion on what happened in Winnipeg.

● (1455)

[*English*]

**Ms. Trisha Baptie:** I think the problem is that we keep talking about this as work, as if this were inevitable. We're working towards the end of it, just like we're working towards the end of domestic violence, the end of rape and the end of all these things that plague women and society. I want to work towards the end of prostitution, so hear me out.

When they pulled the licences, what should have been implemented is what women need in order to not be in those situations. A lot of the women I work with and others work with are in it because of economic inequalities. Welfare isn't enough. They're not getting enough child support. They're not getting whatever they need. We need to look at what women need to be brought up to a level where they don't need to rely on that for their economic viability.

My sister and brother-in-law own an auto mechanics shop, and three doors over from them is a licensed brothel, a massage parlour. It's disconcerting. We hear what happens through the walls. We see men going in and out all the time. That's just not good for society. Once you put it in an office space, once you put prostitution behind doors, how do we know who is behind those doors? What is hap-

pening behind those doors? Who put those doors there in the first place? How do we know they're safe? How do we know they're not trafficked? How do you know they're over age? As soon as we lose the ability to monitor what's happening, it kind of turns into the Wild West and will just keep increasing and spreading when, for equality's sake, we should be working to end it.

[*Translation*]

**Mrs. Élisabeth Brière:** Thank you very much for that answer, Ms. Baptie.

You talk about a Wild West situation. My next question, which is for Ms. Barile, is about that very thing.

During the pandemic, we have seen a significant increase in violence. A street worker from an intervention agency in Lévis, Quebec, described the situation of women in the sex industry as a zoo. With COVID-19, lockdowns and curfews, women have changed their ways. Regardless of the methods chosen, most have had to turn to self-employment or virtual work.

Do you think that, in a self-employment context, these women find themselves even more isolated and at risk of even more violence?

[*English*]

**Daphne Barile:** Absolutely. Thank you for the question; it's really important. Certainly in the Quebec context, many of the COVID-19 measures seriously affected sex workers' capacity to do their work in a safe manner. Ultimately those sex workers had no recourse for any kind of income support during that period. In fact, even continuing to do their work was dangerous, because the only work they could get would have risks of either their clients or themselves being in contact with police who were policing COVID-19 measures.

Now if sex workers had the same—

**The Chair:** Thank you, Ms. Barile. We're slightly out of time.

I'm going to ask for the quick consent of the committee to go for another five minutes. That will be about four minutes over, so that I can get Madame Michaud and Mr. Garrison another two and a half minutes each.

Do I have consent? Are there any objections? Okay.

Go ahead, Madame Michaud, for two and a half minutes.

[*Translation*]

**Ms. Kristina Michaud:** Thank you, Mr. Chair.

I thank my colleagues for their consent. My colleague, Mr. Garrison, and I will have a little more time to ask questions of the witnesses.

I will end with you, Ms. Baptie.

There are several reasons for an increase in sexual exploitation, including globalization and the lack of regulation of the Internet. There is also a lack of law enforcement: not all laws are necessarily good, nor are they always enforced. In addition, there is a lack of preventive education.

You talk about putting an end to all this.

What do you think we can do as parliamentarians to better prevent sexual exploitation?

• (1500)

[*English*]

**Ms. Trisha Baptie:** We need to tighten up our laws when it comes to sexual assaults and rape. We need to stop putting the onus on the victim. We need to give victims more confidentiality and things like that.

One of the most important things we need to do is have a conversation with the men in our lives about how they treat women. Do they buy sex? Why do they think that's okay? I have three sons. We have had this conversation. It's part of our discussion at home. We need to be having it with more and more men, because we're able to hide our behaviours more and more behind screens and in isolated ways like that.

We need to bring this out in more conversations. We had the #MeToo movement. We've had Weinstein and Bill Cosby. It's entering the conversation, but it needs to enter in a more meaningful way from the top down.

We need to have the space, as women, to have those conversations among ourselves as well.

[*Translation*]

**Ms. Kristina Michaud:** Thank you very much.

My time is almost up, so I thank you for your testimonies.

[*English*]

**The Chair:** Thank you, Madame Michaud.

Mr. Garrison, you have two and a half minutes.

**Mr. Randall Garrison:** Thank you very much, Mr. Chair.

Thanks to my colleagues for this brief extension.

Both Ms. Ka Hon Chu and Ms. Barile mentioned the impact of these laws on migrant sex workers and I would ask that they make sure to include that issue in their written comments, since we don't have time to deal with that today. I think it's very important.

I'd like to close with a trafficking question to Madame Ka Hon Chu. Can you comment on the equivalence or line that's been drawn between these provisions of the existing law, which harms sex workers, and the presumption that they do something about trafficking?

**Ms. Sandra Ka Hon Chu:** Yes, and I thank you for that question.

What I said before is that when you characterize everything as abusive and if you characterize all sex work as a form of exploitation, there's no distinction to be made between sex work and abuse of labour practices or trafficking. The legal definition of trafficking requires a fear for one's safety.

There's clearly some precision that has to be made to distinguish these two. As long as you criminalize sex work, you're going to have a much harder time identifying people who are suffering, experiencing exploitation or facing human trafficking. This conflation does not help sex workers and it doesn't help people who experience human trafficking.

**Mr. Randall Garrison:** Thank you very much for that answer.

Thank you very much, Mr. Chair. I know we're over time, so I'll close there.

**The Chair:** I want to thank the members for extending the time.

I also want to thank all the witnesses, particularly as it is a very sensitive nature. Forgive me if I had to cut you off; I have to keep the time flowing to enable every member to be able to ask questions. Thank you.

I am going to ask for adjournment.

To the members, I'll see you next week. Thank you very much and have a good weekend.

The meeting is adjourned.





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