

I believe Parliament must play a bigger role in this respect because it also involves the issue of pornography. The random evolution of violence within human sexuality in the western world is exemplified in much of the pornography available today and street prostitutes will have to deal with this frequently. Prostitutes with whom I dealt professionally were frequently beaten, stabbed and mugged. It was terrifying and most, if not all, wanted to get out of the trade but were in it for very real economic reasons and could not get out.

As some of my colleagues have pointed out, in many cases these might be women with three children at home, living in a hovel. They run out of money and decide that they could use that \$50 or \$100 for their kids. I have met prostitutes who found themselves in that situation. When I interviewed them in their home and met their children I was flabbergasted that these women were prostitutes. Imagine the effects of this Draconian Bill on a woman, typing out of her home, who occasionally had to become involved in prostitution for economic reasons. She may face 30 days in Oakalla. Subsequently, she has a criminal record and cannot be bonded to do typing at home for students at Simon Fraser University.

We must consider the implications of this Bill more carefully. I want to talk more about the customers. We are beginning to see that there is more violence, as we learned in Vancouver with the murder of young prostitutes. Some of the prostitutes involved are 12, 13 and 14 years old. This Bill does not deal with that fact. The Government is throwing a bone to the police in order to vacuum-clean hookers off the street. While it will make a few people happy, Canadians must be aware of the implications of this legislation.

I suggest that customers may well be far more satisfied in their dealings with organized crime because if they want to beat a hooker once in a while, you can be sure that organized crime at the higher levels will send an unknowing individual into that situation knowing that they will make a lot of money from it. Even under the present law which is inappropriate and inactive, these prostitutes at least have an opportunity not to go back to be beaten by the same person.

Street prostitutes deal with a very different crowd than prostitutes within the more organized levels. It is much more dangerous to push them off the street and into a situation where they must deal with a pimp, operating out of a sleazy hotel. It does not deal with the fact that they are human beings. We cannot sit in the House and say that hookers are no good and have no rights and therefore will be dealt with in this way. As Canadians, even hookers in our society deserve better than this Bill and the customers deserve to be included in some kind of legislation in a more direct way.

Mr. Robinson: Mr. Speaker, I listened to the eloquent remarks of my colleague, the Hon. Member for Skeena (Mr. Fulton). I wish he had more time to speak, given his experience as a parole officer dealing firsthand with many of these problems.

In the limited time which is available, would he indicate some of the background chronology of this particular area of

Criminal Code

the law? I believe he began to do so and it would be most helpful to all Members to have some sense of the many attempts that have been made in the past to address this important question.

Mr. Fulton: Mr. Speaker, before doing that, I know that this Bill will go to a committee soon and I think we should remember that we are dealing with real human beings who are faced with a real human situation.

There are three options which the Fraser Commission carefully considered. First, we can take the action that is in this Bill, which is suppression legislation. We can decriminalize or we can legalize. I do not believe that that debate has been heard here. Some are worried that this is a controversial issue which will cost votes. However, I believe we must be practical.

Let me point out the serious situation which is developing by relating the chronology of changes in this legislation. It comes from the parliamentary library. In 1892, there was the inclusion of vagrancy, bawdy house and procuring provisions in the first Criminal Code of Canada. These provisions remained essentially unchanged for 80 years. In 1970, the report of the Royal Commission on the Status of Women recommended repeal of the vagrancy provision dealing with prostitution and a study of how best to deal with the activity. One can see that there is an enormous lapse of time before there was any substantive movement in terms of change to the sections we are dealing with.

On July 15, 1972, there was the Criminal Code amendment Bill which repealed Section 175(1)(c) of the Code and introduced Section 195.1 on soliciting with which we are dealing today. On February 8, 1978, we begin to see that the action being taken by Parliament is becoming compressed. The decision of the Supreme Court in *Hutt* is handed down, giving a narrow interpretation to "solicit". That is the pressing and persistent ruling that was spoken about earlier today.

On May 1, 1978, the Government introduced the first of three Bills designed to reverse the effect of *Hutt*. In November, 1978, the Law Reform Commission Report on sexual offences recommended making it clear that the word "prostitute" applies to both men and women. It also recommended further study of the law dealing with the practice.

In November, 1979, the Conservative Government indicated that its policy was that no amendments be made to the Criminal Code dealing with soliciting. On May 26, 1980, the City of Montreal passed an anti-prostitution bylaw restricting soliciting on city streets. There was recently an interesting ruling by the courts on that bylaw.

On June 25, 1981, the City of Calgary passed two bylaws.

The Acting Speaker (Mr. Charest): I am sorry to interrupt the Hon. Member for Skeena (Mr. Fulton) but the time for questions and comments is now over. Resuming debate.

Mr. Don Boudria (Glengarry-Prescott-Russell): Mr. Speaker, I wish to speak briefly on this Bill. I have listened to much of the debate today. Again, I want to reiterate my congratulations to the Hon. Member for Skeena (Mr. Fulton) who I