

*Criminal Code*

areas, and so they should. They have had the capacity to do that all along but they have been waiting, choking Parliament into producing a law we should not be producing. The article goes on to say:

Whatever one may think of some of its recommendations, the Fraser committee did appreciate the multifaceted nature of prostitution. It suggested a measure which it hoped would reduce or eliminate street soliciting. But, recognizing that if prostitution is driven from the streets it will go elsewhere, it tried to deal with that reality.

Bill C-49 does not deal with reality and people in this House should wake up. We should not keep passing law which is totally unrealistic. It goes on to say:

Hence its proposals that one or two prostitutes be allowed to carry on business in their own residence and that provinces be allowed to licence non-residential brothels. Hence, also, its recommendation that pimping and living off the avails of prostitution be illegal only if the prostitute concerned is under 18 or if a pimp uses force or the threat of force. Hence, not least, its plea for increased governmental support for efforts to ameliorate the social and economic conditions which often push young women into prostitution and for those aimed at helping and encouraging them to leave that way of life.

We have not heard anything from the Minister of Justice, the Minister of National Health and Welfare (Mr. Epp) or the provinces. As economic conditions get worse, you get more prostitution. Look at places like Mexico City. It is incredible! Anyone who thinks that as economic conditions get worse this kind of law will deal with prostitution is dreaming in Technicolor. The articles go on to say:

Essentially, the Fraser committee argues that, street soliciting apart, the criminal law respecting prostitution should be limited to proscribing violence or the threat of force. This is a marked departure from the traditional approach of Canadian government and society. It is pragmatic rather than moralistic. The committee's proposals for legalized places of prostitution underline how radical its thinking is.

Let us see what another newspaper has to say. The *Ottawa Citizen* says: "Crosbie's bill threat to free speech". It says:

John Crosbie has responded to pressing and persistent pressure to get prostitutes off city streets. But his anti-soliciting bill is a dangerous answer to the wrong problem.

The Justice Minister's new bill would make it a crime to stop a car or impede pedestrians to offer sex for sale. That would be acceptable enough.

In an over-reaching subclause, however, the bill goes much further. It makes a criminal of anyone who "in any manner communicates or attempts to communicate with any person" in public in order to supply or obtain a prostitute's services.

● (1650)

Let us look at a few other implications of Bill C-49 going forward. As I pointed out earlier, it essentially deals with the poorest and most disorganized of those involved in prostitution. Some people may think that is great. However, where are those people going to go? Many of them cannot find other employment. Governments in British Columbia and other areas of the country do not have, or have cut off transition houses and training programs so that these people cannot move into the job market. They will move in with organized crime in "escort services" and the whole gamut of organized crime in relation to prostitution. It is true that it will remove the majority of prostitutes from the areas where people do not like it because when they are reported the police can simply go in with this "easy bust" legislation. If the police are looking for a

piece of legislation which they can wave as a guaranteed bust, this is it.

Previous speakers have said that prostitution is a victimless crime but some Canadians have become associated victims to the effects of prostitution in this country. We feel badly about it and everyone in the House wants to do something about it because we do not want that kind of activity. It is very disruptive to have that kind of hassle in the community. It is not anyone's idea of a particularly good time to have a lot of heavies—the pimps—on the streets with batons and knives.

We must look carefully at what the Bill proposes to do and what its effects will be. When I was a probation and parole officer I dealt with hookers from the courts. In the late 1970s they were given probation orders which were very similar to the process of cities and provinces passing by-laws and injunctions to keep people out of certain areas of the community. Those probation or parole orders would stipulate that a prostitute could not be between certain streets or in certain premises where this prostitute was known to have made a living. Part of my job was to find out whether that order was being broken. If it was I would have to breach them and they would go to jail, be fined, or get another order of some kind.

In almost every case where the hookers had some kind of initiative they would get in touch with someone on another echelon of organized crime. If they had simply worked with a pimp before, they would move up into the call girl echelon of prostitution. They then had a more select clientele and less opportunity to have to deal with myself who would bust them, or with a police officer who would recognize them. They moved into another milieu where there is no opportunity for them to come into contact with police. That is how organized crime is starting to operate in the field. If any group in the country will give a ten star rating to this legislation, it will be organized crime. When we come to vote on this legislation we should consider whether we want to guarantee hundreds of millions of dollars to organized crime in this country as a result of the legislation that we would be passing.

The problem of the involvement of juveniles in prostitution has been raised with almost all Members of the House. This Bill does not deal with it. British Columbia now is almost resourceless. There is almost nothing that can be done there any longer because British Columbia has been made resourceless by political decisions. Camping opportunities and even incarcerative facilities are extremely limited and job-training programs have been eliminated. Society should be dealing much more effectively with the source of the disease rather than with symptomatic legislation such as we have before us.

I said I was going to discuss a paper produced by the Library of Parliament, but I do not have a lot of time. I will simply recommend that Members who are interested in this get it from the parliamentary library. It is called "Prostitution" and starts in 1892 with the first vagrancy and bawdy house legislation in the Criminal Code and continues on to the Hutt decision. It includes various attempts made by cities and provinces to deal with this problem.