

since long before the turn of the century are feeling the pinch. These are the people who have been talking to me.

However, there is an even more sinister element to the problem. The Fraser Report, and others, have indicated that prostitution is not the only result of the problem. There are many other types of associated problems which come with it. It is estimated that approximately 60 per cent of the individuals engaged in prostitution are also heavily engaged in the drug trade. I found this summer that not only were there crimes involving drugs but other crimes as well. I am speaking of crimes of violence involving prostitutes, pimps and the customers of this business. It has come to the point where words cannot describe how seriously the people of this particular area feel.

A couple of weeks ago the employees of the largest department store in this area of town, Rosbergs Department Store, asked me if I could meet with them. They told me story after story of how they were scared to go into parking lots to get their cars no matter what time of the day or night. They told me of how they were treated with beatings by pimps who felt that they may be trying to infringe on the territory of the prostitutes under their charge. These are the people who are looking to Parliament to do something about this problem. We have heard a number of solutions. The City of Niagara Falls tried a number of them. A number of years ago we adopted what has been referred to as the Calgary by-law. However, quite correctly, that by-law was struck down by the courts as being unconstitutional. Judge Hubert Oliver described the by-law in this way:

The Aldermen may not like hookers on Calgary streets but it is Parliament that must provide solutions. Municipalities must not assume that function by the enactment of what is, in essence, criminal law.

I say to the Members of this House that that stand is exactly correct. It is not for the regional municipalities or the provinces to find the solution. The solution should be found here in Parliament. Any suggestion to the contrary is simply passing the buck. What we are dealing with is Criminal Code legislation. It is unfair to say to the municipalities: "Take a go at it. See if you can skirt the criminal law." It is unfair to allow them to spend the money litigating and paying the lawyers' bills in the hope that one day they will make it and have their solution approved by the Supreme Court in the process. The responses taken by municipalities were taken because Members of Parliament did not come to grips with their responsibilities. This is why I am pleased that after seven years we have Bill C-49, a Bill which finally addresses the problem.

The Fraser Report was recently released. It has been referred to by my colleagues. As I have said, it is of particular interest to me because of my involvement with the problem. It was an exhaustive and extremely thorough study. I believe it points out the complexities and difficulties of dealing with the subject of prostitution, as well as with the subject of pornography. However, I believe the amendments which it asks us to make to the Criminal Code would not be as effective as the ones proposed in Bill C-49. It bothers me when I see the

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suggestion proposed by the Fraser Commission to amend Section 171(1). I see words which state that it becomes an offence for everyone to stand, stop, wander about in or drive through a public place for purposes of offering to engage in prostitution or of employing the services of a prostitute or prostitutes and on more than one occasion to beckon to, et cetera. This is part of the problem we have before us. The problem with the present legislation is the "pressing and persistent" aspect of it. I do not want to see any reference to that in the legislation which is before Parliament.

In addition, I have serious reservations about one of the other recommendations found in the Fraser Report. It states that it becomes an offence for everyone to disturb the peace and quiet of the occupants of a dwelling by engaging in certain forms of conduct, including prostitution, et cetera. I see potential difficulties with that suggestion as well. The people who are bothered by the problem of prostitution in my communities are not bothered by one prostitute on one occasion who disturbs the enjoyment of the dwelling. It is a cumulative process. It is a problem which continues day and night, and one which continues over a long period of time. I ask Members of this House what dwelling owner will say that, yes, a particular woman or man on a particular occasion has unnecessarily disturbed the peace and quiet of his home? My guess is that the courts would make very short work of that. It is something which would have to come before Parliament again. We would have to make other changes in order to make the law effective. This is why I believe the Bill before us provides the solution we are looking for.

I reject the comments of the member of the Official Opposition and the member of the New Democratic Party who have said that the Bill before us is a Draconian measure and that an innocent nod or wave would somehow land a person before the courts. I believe that the police who are trying to deal with the problem have tried to deal with it responsibly and effectively. I know that the members of the Opposition who have spoken have legal backgrounds. They should know that there are protections provided by the court. As the Minister of Justice has said, every single Criminal Code charge in the country has to be proved beyond a reasonable doubt. All the protections which are built into the Criminal Code in a British justice system will apply to Bill C-49. Thus I reject out of hand any suggestion to the contrary.

I cannot over-state the concerns expressed to me by the Mayor of Niagara Falls and other members of City Council when they heard that Parliament would be dealing with this issue first. The Mayor asked me to express his concerns. I think the Mayor of the City of Niagara Falls put it very succinctly when he wrote, and I quote:

● (1250)

—the current status quo of the Criminal Code of Canada as it pertains to this problem of street solicitation regarding prostitution is totally unacceptable to our law-abiding citizens. Indeed, it is perceived by many of our citizens that those who will not live within the law and abide by the laws of our municipalities and our country appear to have more rights than our law-abiding citizens. Our Regional Municipal Police Force is most frustrated in that in the practical sense