

Criminal Code

about the Bill. I hope we give the opportunity to speak to representatives of the Canadian Advisory Council on the Status of Women who have spoken out strongly against this Bill, representatives of the National Association of Women and the Law and representatives of many other women's groups. I hope we will give this opportunity to civil liberties groups as well as encourage members of the Fraser Commission and representatives of the communities affected to come before the committee. It is my ultimate hope that this Parliament will recognize that it is not by taking a sledge-hammer to civil liberties, and not by this assault on women that we will deal with this nuisance. We will deal with it in the short term, only by taking the kinds of measures to which I referred earlier in terms of community responses and, in the longer term, by recognizing that we as a community must deal with social and economic causes of prostitution. Only in this way will we begin to recognize the nature of this problem.

Mr. Rob Nicholson (Niagara Falls): Mr. Speaker, it is an honour for me to participate in this debate. It is one of which I am very appreciative in view of the particular concerns of the people of my riding. I am also pleased that this Bill is the first matter on Parliament's agenda for the fall sitting of the thirty-third session of Parliament.

Many of the subjects of debate in this Chamber come and go in our communities and very little notice is taken of them. I can tell Hon. Members that this debate will be watched very carefully by the people of Niagara Falls. This is a problem that concerns them and it is a problem that has concerned me for some time. It is a matter on which I have spoken with the Minister of Justice (Mr. Crosbie) and my colleagues on the Justice Committee. Indeed, I believe the first words that I spoke as a Member of Parliament in this Chamber urged the House to deal with this very serious problem of solicitation for the purposes of prostitution.

I would like to give the House a bit of the background of this problem and in particular mention how it affects the community of Niagara Falls. I think we all know, and it is conceded by Members on all sides of the House, that the problem of prostitution will never disappear. However, I think it is incumbent upon us as Parliamentarians and indeed upon all members of society to do what we can to control and reduce this problem, and, as the Hon. Minister of Justice has indicated, to decrease its attractiveness to misguided young people.

In my community, the problem of prostitution increased dramatically after the Supreme Court of Canada in 1978 in the case entitled *Regina versus Hutt*. As Members of the House are aware, that case indicated that for a conviction under the present soliciting Section of the Criminal Code, the solicitation must be pressing and persistent. To all intents and purposes, at that point and in subsequent cases, that Section of the Criminal Code became useless when trying to control and deal with this problem. It made the buying and selling of sex on our streets legal for all intents and purposes. At that time and since, it has constituted a problem for many of the major communities, some of which were enumerated by the Minister

of Justice in his remarks. It became a particular problem in the City of Niagara Falls for a number of reasons.

Niagara Falls, as I am sure all Members are aware, is a border city. On the American side of the border there are a number of large communities, the largest of which is Buffalo, New York. Shortly after the 1978 Supreme Court decision, there was a crackdown on prostitution in New York State. Tougher laws and regulations were enacted and these were particularly useful and successful in the City of Buffalo. Niagara Falls, because of its proximity and even because of its warm climate, became very attractive. It is a fact, a fact of which I am sure most Members are aware, that the streets of a place like Niagara Falls are much safer for every kind of business, legal or illegal, than the streets of a large American city like Buffalo.

Niagara Falls was and remains to this day for the most part a quiet, middle-class community with safe streets. However, therein lies the problem. According to various estimates, as this problem increased after 1978, there were on any given night approximately 100 prostitutes crossing the Canadian border to do business in the City of Niagara Falls. As the representative of that community, I should be very careful to make sure that parliamentarians understand that this problem is basically confined to one area of Niagara Falls. It is not the tourist area which is affected. Niagara Falls remains the primary family tourist destination on this continent. That has not changed. Millions of tourists come and go and are never exposed to the problem. It is the residents of the city who have suffered since 1978. The quality of life in that particular area of town has deteriorated in a number of ways.

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During the election campaign last summer when I was knocking on doors, as many other Members of Parliament did, the problem of soliciting was put forward to me time and time again. Home-owners asked me who would buy their homes when there is this problem out their front doors. It is there all the time—day and night. I was told by home-owners that no one wants to buy their houses and that property values are declining. The houses that they have worked all their lives to buy cannot be sold.

It was not just home-owners who were concerned about property values who voiced their concerns about this problem. I heard all types of stories from people who told me that their wives could not go to the store any more. If they attempted to go to the local confectionary they would be bothered by people who know of the prostitution problem in that part of the city. People in their cars slow down and blow their horns at women who are legitimately going to the stores to shop. They are being harassed and insulted.

The shopkeepers also suffer as a result of this problem. They all tell me the same story. They ask me why anyone would want to come to this part of the city to shop. There are many other places where people can go to shop in the city. Areas of Niagara Falls in which commercial stores have been located