

GOVERNMENT ORDERS

[English]

CRIMINAL CODE

MEASURE TO AMEND

The House resumed consideration of the motion of Mr. Crosbie that Bill C-49, an Act to amend the Criminal Code (prostitution), be read the second time and referred to the Standing Committee on Justice and Legal Affairs.

Mr. Speaker: I will now advise the House, if I may, that because of the new Standing Order 19(4) the House will sit for an extra 20 minutes this afternoon. Government Orders will be extended for 20 minutes. What is usually five o'clock becomes 5:20, etc. The floor was open at the time of adjournment.

[Translation]

Mrs. Lucie Pépin (Outremont): Mr. Speaker, I rise today to express my confusion, my astonishment and my concern about Bill C-49 to amend the Criminal Code with respect to prostitution.

First I should like to stress that Bill C-49 is not by any means an intelligent response to the Fraser report and the Badgley report. Indeed the commissioners of the Special Committee on Pornography and Prostitution have stated that a global approach taking social aspects into account was necessary to find solutions to the prostitution problem.

Bill C-49 deals only with a minor aspect of the Criminal Code concerning prostitution. It summarily rejects the global approach advocated by the Fraser committee, and Canadian men and women can now see for themselves that the Minister of Justice took a rather short-sighted view of prostitution.

Let us refer to the fact that in a survey made this summer 92 per cent of Canadians said that prostitution ought to be legalized, but indeed that a special effort should be made in cases of juvenile prostitution.

The Bill now under consideration does not contain anything at all concerning young people who prostitute themselves, nor is there any kind of reference to pimps who work with those young people.

This morning I heard the Minister of Justice (Mr. Crosbie) conclude his remarks by saying that there simply would not be any pimps if there were no prostitutes. I would simply add that I am convinced that there would be no pimps if there were no customers, for we know full well that pimps get their money from prostitutes.

In addition, the Bill to amend the Criminal Code now under consideration aims at reinforcing repression against street prostitution. Many organizations, including the Advisory Board and the Women and the Law Group, had already expressed the wish that nuisance related to prostitution be reduced. Commissioner Paul Fraser and his colleagues also

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agreed on the importance of restricting prostitution-related activities.

We must not think however that criminal law can eliminate the phenomenon we are dealing with today. In my opinion, it could be dangerous to make improper use of our criminal law to solve problems for which global social strategies are better suited. I believe that prostitution is such a problem.

Bill C-49 brings absolutely no change to the sexist view of the Criminal Code sections dealing with prostitution. Indeed, its aim is to define soliciting even more narrowly, which means that the target still remains the prostitute. This reflects a rather hypocritical point of view. The Government turns a blind eye to the customers, the pimps, the touts, and the owners of the premises where prostitution occurs.

The way in which Bill C-49 has been presented today gives us the feeling that only the prostitutes are punished and stigmatized. While it is absurd and unfair to put all the blame for the ills of this complex phenomenon on the prostitutes, these are the conclusions we must now draw from this Bill.

Both the Badgley Report published in September 1984 and the Fraser Report published last spring recognized that the Government should develop special programs to eliminate disparities and economic discrimination. More specifically, recommendation 50 of the report noted the importance for the Government to intensify its moral and financial commitment to eliminate economic and social disparities between the sexes and discrimination based on sexual orientation.

Commissioner Fraser and his colleagues also stated that the Government should see to it that social programs are developed for women and young people in need.

The Special Committee on Pornography and Prostitution very rightly pointed out that prostitution is related to the lack of social and educational programs to help young Canadian men and women to deal confidently and responsibly with the problems of sexism, sexuality and sexual identity.

At the time when the Progressive Conservative Government is closing down the Family Planning Division of the Department of National Health and Welfare, the Fraser Report states that the Government should help finance the development and implementation in schools of educational programs dealing with relevance and tact with the issues of sexuality.

The members of the Special Committee on Pornography and Prostitution also believe the Government should provide joint funding for a national centre on sexuality and training for life in society, with a program to prevail on academics and well-known specialists to do research work and develop teaching programs and models. They also feel federal and provincial governments should commission further research on prostitution and come to grips with that social phenomenon and its impact on those who engage in it.