

SUBMISSION TO THE SENATE LEGAL AND CONSTITUTIONAL AFFAIRS COMMITTEE

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CEASE: *Centre to End All Sexual Exploitation*, supports the vision of the preamble and the direction of Bill C-36, which recognizes the exploitation of vulnerable persons and directs the weight of the law against those who perpetrate harm. We hope this legislation, coupled with the \$20 million investment in services and public awareness campaigns, leads to generational change and shifts in public awareness.

Our vision is a Canada where there is a significant reduction of sexual exploitation and sex trafficking of vulnerable persons of all ages; a decrease in economic situations that create vulnerability to being exploited or trafficked (indebtedness, poverty, low skills, homelessness; and a great increase in gender equality. Currently, Canada ranks #21.

We have three points for your consideration.

- 1) Sanctioning exploitative behaviours and educating prostitution offenders has a positive impact.

We have worked with men who are prostitution offenders since the inception of the Edmonton Prostitution Offender Program ("john school") since 1996. Those who are first time offenders with no records of violence against women and children are eligible for this post-court diversion program. Over 2700 men have participated and the re-offence rate is around 3%.

Approximately one-third tell us they are struggling with addictive behaviours; others tell us about relationship problems (among those cruising the street, over 50% are married, while some women working in massage and escort estimate over 90% of the men who come to them are married); some say they just want cheap, anonymous sex; most say they never thought about the impact of their actions on the women they were buying, or, the residential communities and businesses they were impacting. Many thank us at the end of the program. (Please see the Appendix for research references).

Some men cite exposure to pornography as a factor. Children, youth and adults are exposed to pornographic images at increasing rates, which can condition some (primarily females) into being more easily victimized and others (primarily males) into becoming perpetrators of sexual violence and sex consumerism.

Bill C-36 can have a positive and normative effect by challenging and educating Canadians that in our country it is not acceptable to buy and sell human beings. We hope Bill C-36 provides for Adult Alternative Measures to educate offenders in addition to other sanctions so they understand the harm.

2) Continuing to criminalize vulnerable persons does not create safety for children.

We cannot support the inclusion of S. 213 even with the amendments, whereby prostituted, exploited persons can still be charged if they are standing near a school or daycare centre.

We believe there are multiple ways to ensure the safety of children and protection of residential communities and businesses. We see that including this sanction will continue to focus negative community attention towards vulnerable youth and adults, rather than on those who cruise neighbourhoods, causing fear and harassing everyone. In Edmonton, men follow girls from the bus stop to their homes and youth centres and recruiters hang around schools and malls. As well, internet activity is much more significant than street activity now.

We know from experience that the criminalization of vulnerable persons deepens shame, social exclusion, job opportunities and access to housing. While some appreciate the police intervention when they are under the control of a pimp, drug dealer or trafficker, or are hungry and homeless, it is the criminal record that creates barriers after they have been helped through the crisis. We believe there are many creative outreach tools that both law enforcement and community organizations can utilize to assist exploited persons that do not create the burden and shame of a criminal record.

3) Investing in pathways out of exploitation and poverty creates safety.

We recommend that criminal records be expunged for prostituted, exploited persons from the time S. 213 CC became law in 1985 until it was struck down by the Supreme Court of Canada in 2013. This will open the door to employment, further education, access to public housing and other opportunities enjoyed by most citizens. Many employers require criminal record checks, especially in job sectors where many women apply; some post-secondary education programs such as social work and health-care require criminal record checks; approval for public housing in Edmonton requires a criminal record check and women with S. 213 CC convictions can be denied housing for several years. Financial Benefits for Victims of Crime can be denied if a woman has too many S. 213 CC convictions. The injuries received as a result of assaults are discounted if she has too many points against her. The process and cost of applying for a record suspension is prohibitive. Expunging the records is more expedient.

It is important to recognize that many Indigenous women have been criminalized through prostitution-related offences, when they were in reality victimized and at high risk of murder. Expunging these records would be a positive step in our national Truth and Reconciliation process. This could begin to redress the government policies that contributed to intergenerational trauma and social exclusion of Indigenous people. It could contribute to the reduction of violence against Indigenous women.

In conclusion, the commitment of \$20 million by the Federal Government is a positive first step. We encourage provinces and municipalities to increase their investment as well. Another source of funds is the fines that offenders will pay. These fines can be directed to community programs. Funding the continuum of services from safe houses to job training to trauma recovery creates true safety for women, vulnerable males and transgendered persons. Increasing economic options reduces vulnerability and fosters a more hopeful future for women and their families.

CEASE Submission to the Senate Committee on Legal and Constitutional Affairs

Resources and References

CEASE Prostitution Offender Program: Who are these casual sex purchasers? Here are a few quotes from our program surveys. (These are anonymous surveys filled out by the men at the beginning and end of the program)

**Source: CEASE Prostitution Offender Program Surveys
(2012 and 2013 Summaries - 148 men)**

Relationships and Children

- 55% of those arrested are married or have a girlfriend
- 62% of those arrested have one or more children, and 58.5% of those had children living with them at the time of arrest

Age of Offenders

Age of those arrested ranged from 19 to 73 years old

- The average age of offenders was 41
- 26% of the men were between the ages of 18; 30% of the men were between the ages of 30 and 54; 22% of the men were over the age of 55

Beliefs and Values

- 67% stated at time of arrest they didn't know they were breaking the law
- 67.5% stated they had never solicited for sex services before
- 18% stated they had purchased sex services at least 2 times before being arrested
- 93.5% of those who took the survey at the end stated they will stop cruising for sex
- 94% of the offenders stated that they had a change of opinion surrounding prostitution after participating in the Prostitution Offender Program

What did you find most helpful?

"The wide range of information and the truth behind prostitution, organized crime, the abuse, the blackmail, the pain and burden it causes people"

"This program was gift of god thank you and I will educate others"

"Knowing that the prostitutes themselves have been forced or blackmailed or threatened"

"To hear how badly some women are treated"

"The detective was most helpful in answering questions without being judgemental. The nurses were also very considerate in not laughing at me getting dizzy giving blood"

What would it take for you to stop?

- This course

- Getting arrested
- More education
- No more demand

References: At the end of the brief there is a list of research studies from Canadian, U.S. and European studies that corroborate the input by the men attending the Edmonton program.

Intervening and educating casual purchasers can interrupt the cycle of abuse and harm and can prevent further entanglement. Each year, we have had a few men phone and ask if they can attend voluntarily, without getting charged. We have had spouses/partners of men call asking for help for their husbands/boyfriends. We believe that public awareness and the normative effect of sanctioning the behavior through laws can foster positive behavioural change.

When Alberta was debating the implementation of the Vehicle Seizure Act for those arrested for S. 213 CC, CEASE surveyed the men attending the Prostitution Offender Programs during those years. Men in 3 programs spanning 2002 – 2003 were asked. 67 filled in the survey.

Are you in favour of this law? 46% said YES

Would knowing this law exists stop you from cruising for the purposes of prostitution?

78% said YES

A National Overview of Prostitution and Sex Trafficking Demand Reduction Efforts

Final Report

Grant # 2008-IJ-CX-0010

April 30, 2012

Prepared for:

The National Institute of Justice

Office of Justice Programs,

U.S. Department of Justice

810 Seventh Street, NW

Washington, D.C. 20531

Submitted by: Michael Shively, Ph.D.; Kristina Kliorys; Kristin Wheeler; Dana Hunt, Ph.D.

Abt Associates Inc. 55 Wheeler St., Washington, D.C.

Deconstructing the Demand for Prostitution: Preliminary Insights from Interviews With Chicago Men Who Purchase Sex.

Rachel Durschlag, AM

Samire Gaswami

May, 2008, CAASE – Chicago Alliance Against Sexual Exploitation

Former Buyers: Why and How They Stop

A Preliminary Study of Men with Long-Term Abstinence from Paying for Sex

Joel Ziff, Ed. D, Psychologist (3/31/13)

Certified Sex Addiction Therapist Supervisor (CSAT-S)

Primary Investigator

610 Centre Street, Newton, MA

Men Who Buy Sex: Who They Buy and What They Know

A research study of 103 men who describe their use of trafficked and non-trafficked women in prostitution, and their awareness of coercion and violence.

Melissa Farley, Julie Bindel and Jacqueline M. Golding

December 2009

Eaves, London

Prostitution Research & Education, San Francisco

Targeting the Sex Buyer: The Swedish Example: Stopping Prostitution and Trafficking Where It All Begins

Kasja Claude

Printed in Sweden by Intellecta Infolog, Solna, 2010

ISBN: 978-91-520-0986-4

The Swedish Institute (SI) is a public agency that promotes interest and confidence in Sweden around the world. SI seeks to establish cooperation and lasting relations with other countries through strategic communication and exchange in the fields of culture, education, science and business.

An Investigation into John's Schools

Alison Gillings and Michelle Willoughby

Chicago Alliance Against Sexual Exploitation

March 2010

Of Vice and Men: A New Approach to Eradicating Sex Trafficking by Reducing Male Demand through Educational Programs and Abolitionist Legislation

Iris Yen

Journal of Criminal Law and Criminology

Volume 98, Issue 2 *Winter* Article 6, Winter 2008

Comparing Sex Buyers with Men Who Don't Buy Sex: *"You can have a good time with the servitude" vs. "You're supporting a system of degradation"*

Paper presented at Psychologists for Social Responsibility Annual Meeting July 15, 2011, Boston.

Melissa Farley, PHD, Founding Director of the Prostitution Research and Education

Report of the Preliminary Findings for John's Voice: A Study of Adult Canadian Sex Buyers

A Study funded by the Canadian Institute for Health Research and the British Columbia Medical Services Foundation and Supported by the Social Sciences Research Council

Chris Achison, 2010

Illustrating links between sexual addictions and sexual exploitation, sex trafficking through prostitution.

"Prostitution is a highly risky behavior that can increase the endorphin rush that the sex addict seeks"

<http://www.sexual-addictions.net/prostitution.htm>

Seeking the Experience of Shame: <http://www.sexualrecovery.com/blog/about-sex-addiction/am-i-a-sex-addict/prostitution-addiction-uproot-the-cause-correct-false-beliefs/>

Articles related to the impact of pornography on children

<http://byuresearch.org/ssrp/research.html>

<http://www.protectkids.com/effects/harms.htm>

Other Relevant References:

World Economic Forum: Global Gender Gap – 2013 Report

<http://www.weforum.org/issues/global-gender-gap>

“This year’s findings show that Iceland continues to be at the top of the overall rankings in The Global Gender Gap Index for the fifth consecutive year. Finland ranks in second position, and Norway holds the third place in the overall ranking. Sweden remains in fourth position. Northern European countries dominate the top 10 with Ireland in the sixth position, Denmark (8) and Switzerland (9). New Zealand (7), Philippines (5) and Nicaragua (10) complete the top 10. Canada ranks (21).”

Do laws affect attitudes? An assessment of the Norwegian prostitution law using longitudinal data

Andreas Kotsadama, Niklas Jakobsson,
University of Gothenburg, School of Business, Economics and Law
Working Papers in Economics, No. 457
June, 2010

How Criminal Law Shapes Institutional Structures: A Case Study of American Prostitution

Aaron D. Simowitz*, Acting Assistant Professor, New York University School of Law
American Criminal Law Review, 2013