

Defend Dignity Response

Ontario's Court of Appeal ruled today on prostitution laws. The brief summary follows.

- The declaration of invalidity in respect of the bawdy-house provisions is suspended for one year from the date of the release of these reasons.
- The amended living on the avails provision takes effect 30 days from the date of the release of these reasons.
- The communicating provision remains in full force.¹

Defend Dignity is deeply disappointed that the court has failed to stand for the exploited and vulnerable. In response, we continue to call for the legal and social framework of Nordic law in Canada. We ask that Parliament give serious consideration to not change the existing laws, but rather make new laws based on the model of Nordic law first begun in Sweden.

In 1999, Sweden passed laws that decriminalized the women as the prostitutes and criminalized the men, the buyers of sex. Sweden did something no other country has done when it targeted the demand believing that if there were no demand, there would be no supply. Sweden also addressed the issue by offering exit strategies to the now decriminalized women. Millions of dollars were put into drug detoxification centers and job retraining for the women.

What were the results? After just one year, there were 50% fewer prostitutes in Stockholm alone. And, the numbers of women being trafficked into the country dropped. Other surrounding countries are adopting these laws with similar results.

Nordic law has proven its effectiveness in treating all women with dignity and value.

The realities surrounding prostitution are that poverty is the number one reason women enter the sex trade. They are ineligible for welfare, often homeless and many with children to feed. They have few alternatives. Choices are made from privilege and decisions are made from scarcity. The decision to enter prostitution is most often made from this place. We must not view prostitution as a solution to female poverty!

Prostitution necessitates a group of women be made available for purchase by men. In Canada, it is the poor and marginalized who are in the majority of this group and very often, aboriginal women. We are far from a society that champions women's equality when this is the reality.

Prostitution cannot be considered safe, even though the court believes that allowing bawdy houses will make prostitutes safe indoors. If we observe what has happened in other countries with decriminalized or legalized prostitution, we find that rules for brothels allowing only drug free women to work there limit many street prostitutes from working indoors. Also, women

¹ <http://www.ontariocourts.ca/decisions/2012/2012ONCA0186.pdf>; pg 132

must be STD (sexually transmitted disease) free, even though there are no checks for male buyers. And, if johns become violent, brothel owners see it as bad for business to call the police. So, in reality, brothels do not provide the safety that the courts believe will happen.

Legalizing prostitution in the Netherlands and Australia reports that organized crime now finds these countries a lucrative destination. In 2008, the National Dutch Police carried out a study of human trafficking in the legalized prostitution sector, titled *Schone Schijn*. The researchers discovered that 50 to 90 percent of women in legalized brothels were there involuntarily. It is estimated that in Amsterdam alone, there are 4,000 victims of human trafficking annually. Because of the involvement of international organized crime networks in the legal and illegal prostitution sector, Amsterdam and Rotterdam have recently closed down a large part of their legal prostitution markets.

Nordic law is the solution Canada needs. We do not need prostitution decriminalized or legalized. Canada would benefit from the social and legal framework of Nordic law.