

For immediate release
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PROSTITUTION DECISION BY ONTARIO COURT OF APPEAL ATTORNEY GENERAL OF CANADA AND BEDFORD

REAL Women of Canada, together with the Catholic Civil Rights League and the Christian Legal Fellowship, intervened in this case at both the Superior Court and Appeal levels.

REAL Women of Canada is disappointed that the Ontario Court of Appeal, which is the most liberal court in Canada, has ignored the views of Parliament in this case.

This Court partially upheld the lower court's decision of Madam Justice Susan Himel to allow prostitutes to operate from legal brothels. It based its decision on the belief that this will reduce the risk of harm to prostitutes. In doing so, it accepted the conclusion of the lower court that used only selected evidence and ignored expert evidence which the lower court judge declared was "not objective" (as though evidence of those arguing in support of prostitution was necessarily "objective!").

Prostitution itself is inherently dangerous, no matter where it is carried out. Prostitutes should not be encouraged to engage in this activity by way of brothels or otherwise. Evidence from other countries, such as Sweden, Spain, Australia and the Netherlands, indicates that the legalization of brothels only increases the number of individuals involved in prostitution, both on the streets as well as in brothels.

The legalization of brothels in Canada can therefore greatly increase the risk of harm to prostitutes by assaults and even death, as more individuals will inevitably become involved in this activity.

The Court naively envisions that brothels will be operated by single prostitutes within their own homes. Such will not be the case. Organized crime will rapidly take over the brothels, as occurred in every other country which has legalized brothels.

Even though the Court acknowledged at paragraph 195 that "bawdy houses are often an integral part of human trafficking syndicates where victims are trained and housed, and then transported elsewhere for the purpose of sexual exploitation," it nevertheless approved of brothels with this decision.

Further, the court incorrectly assumes at paragraph 307 that it is only street prostitution that is associated with serious criminal conduct, including drug possession, drug trafficking, public intoxication, and organized crime. This again is naive, since these are also very much characteristics of legalized brothels.

Although the Court did not strike down the "living off the avails" provision in its entirety, it did amend the provision by "reading in" words to that section which were not intended by Parliament.

It is ironic that The Ontario Court of Appeal stated at page 8 that: "prostitution is a controversial topic, one that provokes heated and heartfelt debate about morality, equality, personal autonomy and public safety; it is not the Court's role to engage in that debate".

Yet the Court has done just that.

It is urgent this matter be immediately appealed to the Supreme Court of Canada so that Parliament may ultimately decide the grave issue of the social policy on prostitution, not appointed unaccountable judges.

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