



# **Special Committee To Prevent The Abuse And Exploitation Of Children Through the Sex Trade**

## **Hansard Verbatim Report**

**No. 2 – January 5, 2000**



**Legislative Assembly of Saskatchewan**

**Twenty-fourth Legislature**

**SPECIAL COMMITTEE TO PREVENT THE ABUSE AND EXPLOITATION  
OF CHILDREN THROUGH THE SEX TRADE  
2000**

Arlene Julé, Co-Chair  
Humboldt

Peter Prebble, Co-Chair  
Saskatoon Greystone

June Draude  
Kelvington-Wadena

Ron Harper  
Regina Northeast

Carolyn Jones  
Saskatoon Meewasin

Don Toth  
Moosomin

Kevin Yates  
Regina Dewdney

**SPECIAL COMMITTEE TO PREVENT THE ABUSE AND EXPLOITATION  
OF CHILDREN THROUGH THE SEX TRADE  
January 5, 2000**

11

**The Co-Chair (Mr. Prebble):** — I'm going to, maybe just before I introduce the officials, have all members of the committee introduce themselves. I just want to say to all those who are present that our Co-Chair Arlene Julé is not able to attend today, so I'll be chairing the session. Why don't we just do introductions, Kevin, starting with yourself.

**Mr. Yates:** — I'm Kevin Yates. I'm the member from Regina Dewdney.

**Mr. Harper:** — Ron Harper. Member from Regina Northeast.

**Ms. Jones:** — Carolyn Jones representing Saskatoon Meewasin.

**Mr. Pritchard:** — I'm Randy Pritchard. I'm the senior program consultant with the Department of Social Services.

**Ms. Bourassa:** — I'm not speaking out of turn, am I? My name is Laura Bourassa. I'm with the Department of Justice.

**Mr. Perrins:** — Dan Perrins from the Department of Social Services.

**Ms. Draude:** — June Draude. I'm the MLA (Member of the Legislative Assembly) from Kelvington-Wadena.

**Mr. Toth:** — Don Toth. MLA Moosomin.

**Ms. Woods:** — Margaret Woods, committee Clerk.

**The Co-Chair (Mr. Prebble):** — And I'm Peter Prebble. I'm one of the Co-Chairs of our committee and the MLA for Saskatoon Greystone.

I want to thank you all for coming this morning and welcome to our other guests who are present this morning. We agreed at our last meeting that we would make the focus of this meeting a briefing from government organizations that have been intimately involved with the whole issue of trying to stop the involvement of children in the sex trade in our province.

I've invited this morning officials, senior officials from both Social Services and Justice, to attend our meeting to provide us with this briefing. So Dan and Laura and Richard, we very much appreciate you being here. Thank you for taking time to come.

I'm going to suggest that we move into the briefings. As you can see from the agenda, following the briefings from Justice and Social Services officials, we'll also have a short review of . . . from Gwenn Ronyk with respect to just advice that she's going to provide us in terms of the role of our committee as a select committee. And then we need to make a decision about the advertising a research officer position as a staff person to our committee. And then if there is any other business, please let me know and we can add that to the agenda.

Is anybody anticipating any other business at this time? So why don't we roll forward then. And, Dan, I'll invite you and Randy to begin with your presentation. I don't know if you've worked out an order . . .

**Mr. Perrins:** — We have.

**The Co-Chair (Mr. Prebble):** — And would you like to go first or actually was it the thought that Laura would go first?

**Mr. Perrins:** — Laura and Richard are a team.

**The Co-Chair (Mr. Prebble):** — Okay. Well in that case, why don't we have Laura and Randy go first. Yes. Thank you.

**Mr. Pritchard:** — Okay, well I'll go first. What I'm going to talk about is the amendments to The Child and Family Services Act, Saskatchewan family services Act. And then when I'm done that, Laura will do . . . just speak on behalf on the Criminal Code changes, amendments to the Criminal Code.

**The Co-Chair (Mr. Prebble):** — Randy, just a couple of things. First of all, just so that all of you present know, everything that you say will be recorded in *Hansard*. First of all. And secondly, for those purposes speaking into the mike is helpful to the *Hansard* staff who are here. And I don't know if you have any further advice that you want to provide with respect to how close people need to be to the mike when they're making presentations.

Can you hear me from here? Okay.

**Mr. Perrins:** — Just by way of that, if I can interrupt Randy for a moment. This presentation really will lay out the current legislative authority and talk about the changes. Also it will compare the legislative base and approaches taken in Manitoba and Alberta. So within your package . . . and as I say we have a package to share with you of both presentations for Randy and Laura. You'll see it in effect what the approach is . . . the legislative base in Saskatchewan and the comparison to Manitoba and to Alberta.

And then we thought what we also want to share with you is the — which Laura will present — will be the direction to prosecutors in the province and the direction to the police as well. And, in addition, the paper that's been prepared by way of direction to Social Service staff. So that, in a sense, that's the package which will describe what is the current legislative base and what are the current services and approaches that are being taken in communities across the province.

**Mr. Pritchard:** — If I'm not loud enough just let me know. I'll pass out copies of the presentation here for you.

**Mr. Perrins:** — I should also say that the material will also include a chronology of events in terms of the approach that's been taken across the country as well. And in addition a summary of the consultations; the questions and consultations that have been taken, with respect to communities and participants in trying to address this problem.

**The Co-Chair (Mr. Prebble):** — Thank you, Dan. Randy are you ready to proceed? Okay.

**Mr. Pritchard:** — It's like . . . the last slide said this is the presentation on the amendments on The Child and Family

Services Act, as well as the Criminal Code changes. The slides will go like this, from here to here to here to here. Basically this statement is children and youth involved in prostitution are victims of abuse. They're not criminals, they are actual victims of child sexual abuse.

Some key principles . . . How do you get those key principles? Anyone? Okay. I haven't done one of these before yet, so . . .

Sexual exploitation of children and youth through prostitution is child abuse. Penalties under provincial legislation will be increased.

Whenever possible, children and youth involved in prostitution should not be treated as criminals but as victims so they may receive the assistance they need to leave street life.

Culturally appropriate services will be developed, guided by community development processes in Regina, Saskatoon and Prince Albert. And later on in the presentation I'll talk a little bit more in detail what processes we're doing in Regina, Saskatoon and Prince Albert.

The amendments to Child and Family Services Act are a result of The International Summit on Sexually Exploited Youth — Out of the Shadows. This was held in . . . Okay, well I'll talk about that later, about The International Summit of Sexually Exploited Youth. The amendments are the result of discussions that we had with community groups throughout the province — and I'll get into more detail about who they were later on — as well as a review of legislation in other provinces, mainly Manitoba, their amendments to The Highway Traffic Act as well as Alberta's Protection of Children Involved in Prostitution Act, which in short they refer to it as PCHIP. So if I say PCHIP that means The Protection of Children Involved in Prostitution Act.

The International Summit on Sexually Exploited Youth was held in Victoria B.C. (British Columbia) in March '98. And basically it was . . . they sought the views of children and youth involved in street prostitution. Most of the participants at that summit were youth and there was delegates from all across Canada . . . professionals there as well that listened to the youth.

What they had to say was that some of their life experiences prior to entering the street sex trade — and none of this is really a big surprise — but this is what the youth had to say, that most of them had a history of physical, emotional, and/or sexual abuse. Some came from relatively stable not abusive home environments as children and some were interrupted by severe trauma by someone else outside the family. A lot of them ran from an abusive home or a care environment. And there was repeated experience of rejection on the basis of race, appearance, or sexual orientation, and drug addiction.

Low self esteem was another one. Pregnancy and subsequent financial pressures. Some lived double lives attending school in the day and then working the streets at night. And almost all of them lacked awareness of their right to be protected from sexual exploitation.

Some of their recommendations at that summit was to focus on

prevention, the need for care by stable and supportive home environments, eliminate child poverty and abuse, educate parents and caregivers on how to help children understand healthy sexual development and disclose sexual trauma.

Some more recommendations by the youth were assertiveness training for children, values clarification, and information on the pressures of drugs, gangs, street life, and sexual perversion. As well they felt that prostitution should be deglamourized as well as drug use, and that shelter support should be provided, including safe shelters for street youth.

And these were the discussions that we held with community groups across the province. We held discussions with the Integrated Youth Committee in Prince Albert. That's a committee made up of NGOs (non-governmental organizations), community-based organizations representatives, First Nations representative, Metis representative, Dept. of Justice, there's a police representative on there and Social Services, Department of Health as well.

And Communities for Children Committee in Saskatoon, as well, that's an organization that is made up of a number of community representatives and government organizations in Saskatoon that have a vested interest in these children.

And then the Action Committee for Children at Risk in Regina, that's an outreach program. We also had consultations with police representatives from Saskatoon, Regina, and Prince Albert.

As well, the FSIN, the Federation of Saskatchewan Indian Nations, their health and social development people. As well, the First Nations Child and Family Service Agency directors. There's 18 ICFS (Indian Child and Family Services) agencies across the province and they have a group that get together once a month of all their agency directors and we consulted with them as well. Youth in Care representatives out of Saskatoon; that's Youth in Care network and they're a Saskatchewan affiliate of Canada-wide Youth in Care network across Canada. And then the Rainbow Youth peer support workers in Regina, as well as the board of directors from the Metis Family and Community Justice services. And that was . . . the Metis nation is split up to 12 different areas in the province and each one of those areas has a representative that sits on the board of directors from MFCJS (Metis Family Community Justice Board). So that they had consulted with 12 of them and they had representatives from all over the province with this group.

And here's what the feedback we got from the community groups. Again all felt that these children are victims of child sexual abuse. And there was lots of support from these groups that the service issue be extended to 16, 17-year-old youth and not just isolated to children 15 and under.

They also felt that forceful confinement of youth is too much like punishment. And First Nation and Metis people, they strongly cautioned against detention. They felt that we've got to address any underlying problems. They felt that their people had been locked up for too long and they felt that it doesn't do any good and they strongly cautioned against locking kids up; and there was a great support for stronger penalties.

Conclusion of that is exiting the street is complex and requires both a clear personal decision by the youth and ongoing community support for the youth.

Saskatchewan's approach. We strengthen The Child and Family Services Act through amendments that further protect children and youth from sexual exploitation. We also strengthen provisions in the Criminal Code that deal with those who sexually exploit children and youth involved in prostitution.

Am I on the right one?

The Child and Family Services Act is the provincial legislation that provides for the protection of children in need. It also requires that anyone who is aware of child abuse or neglects report it to the Department of Social Services, local police, or to the emergency after-hour services for investigation . . . that's section 12 of The Child and Family Services Act is the duty to report.

Services can be provided in various ways. Voluntarily — that would be through a section 9 or a section 10. A section 9 is when children under the age of 16 can voluntarily enter into agreement with the department to enter care; as well as section 10, and that's for 16, 17-year-old youth who can sign an agreement with the department themselves and enter into care.

Services can be provided involuntarily and that's court-ordered apprehensions, and then there's in-home services such as family preservation or parental aid, and out-of-home residential services like foster care or therapeutic group homes.

Now the amendments to The Child and Family Services Act, the amendments were passed last March and we're anticipating them to be proclaimed January 18. But basically the amendments clarify that a child exploited through prostitution is a child in need of protection.

It allows for the protected intervention orders for youth to age 18, which prohibits contacts between youth and the offender.

And it also gives the courts discretion to accept hearsay evidence at protection hearings for children/youth to age 18 so that they do not have to appear in court.

Also that it's an offence to allow or encourage a child to engage in prostitution. The penalties have been increased for persons convicted of the offence of child abuse to a maximum of 24 months imprisonment or a maximum of a \$25,000 fine.

**Ms. Bourassa:** — The Criminal Code, unlike The Child and Family Services Act, is, as you all know, a national piece of legislation so its provisions apply wherever we are in Canada.

Children under the age of 14 under the Criminal Code are not legally able to consent to engage in sexual activity. Therefore if a person engages in prostitution-related sexual activities with children under the age of 14, even though money may have changed hands, it cannot be said that the child consented to that activity.

In consequence, persons who engage in that type of conduct

with children of that age may find themselves charged with offences other than prostitution-related offences — offences like sexual assault, which are more serious offences under the Criminal Code. As you'll see on the slide, sexual assault has a maximum penalty of 10 years in jail.

There are also . . . Prostitution, you should know, is not, strictly speaking, illegal in Canada. Generally, prostitution activities are illegal in Canada. It's illegal to run a house of prostitution. It's illegal to communicate in a public place for the purposes of prostitution. But generally just being a prostitute itself is not a crime.

This is different for children. Persons under the age of 18 cannot legally engage in any form of prostitution activity. So there is a difference between how we treat adults and children involved in prostitution. And that difference is reflected in the types of penalties that are imposed in the Criminal Code.

So communicating with a child for the purpose of prostitution in any place is a crime punishable by up to five years in jail.

Now for adults, communication for the purposes of prostitution in a public place — not any place, in a public place — is an offence and it's punishable by two years in jail.

Those who make a living off the earnings of children involved in prostitution are liable to imprisonment for up to 14 years, which is the second-highest maximum penalty available under the Criminal Code. The next highest maximum penalty is life.

Recently in 1997, the Criminal Code was amended to create a new offence which we call the aggravated offence of procuring children into prostitution. It provides that those who make a living off the earnings of children who they have forced into prostitution are liable to imprisonment for a minimum period of 5 years and a maximum period of 14 years. So if someone coerces a child into the life of prostitution, this is the penalty that they will now face. So those are the basic sort of parameters in the Criminal Code.

Prostitution has been an issue nationally, as you'll appreciate. The issue of child prostitution has been a significant issue of concern to the federal government and this has resulted in some amendments to the Criminal Code over the past four years. In May of 1997 the amendment that I just referred to, the creation of the aggravated offence of procuring children into prostitution was proclaimed in force, but there were also several other amendments in that package.

One made it possible to prosecute Canadians who sought the sexual services of children in other countries. Participating in child sex tourism became an offence under Canadian law. This was to address concerns internationally that persons from developed countries, in particular Western Europe, Canada, the United States, are travelling to other countries like Thailand specifically for the purposes of purchasing the sexual services of young children.

Those amendments also made it an offence . . . also created the aggravated offence of forcing children into prostitution.

And then there was an amendment made which was designed to assist law enforcement officers in arresting persons who sought to procure the sexual services of children. As you may or may not know, one of the most common mechanisms that police use for catching people that we commonly called johns on the street is something that they call a sting. And what they often will do is they'll place a peace officer on the street to act as a prostitute, and then someone approaches that person and asks to buy their sexual services and the offence is then made out.

This was very difficult with respect to young people because of course most peace officers are not under the age of 18. And so there was an amendment added to the Criminal Code in 1997 which said that persons who encountered others, who they thought were under the age of 18, and attempted to buy their sexual services would be guilty of an offence. So the issue became the element of belief in age, and this allowed police to masquerade as being under 18.

Unfortunately it had an unintended result. What it did — that particular amendment — was it made it very difficult for the Crown to prove cases where children under 18 were involved, because the Crown then had the additional hurdle of having to establish in every single case whether the accused believed the person was under 18, even where no sting had occurred. And that deficiency in the law was remedied this year with another amendment to the Criminal Code.

So if you can go to the next slide. They, the amendment . . . It's actually ahead but that's okay. I'll just skip ahead and we'll get to that slide. You'll think, oh, dear, she jumped — I did.

The amendment was . . . is now that the offence of communicating with a person under the age of 18 for the purposes of prostitution is now an offence. So whether or not . . . the only way that belief becomes a defence is if the offender took all reasonable steps to determine whether or not the person they were dealing with was under the age of 18. So it's a little bit cleaner and a little bit easier. We're hopeful that this fix that was made in 1999 will enable greater prosecution of those cases.

Now back to the 1997 amendments, one of the difficulties that we have in prosecuting child prostitution cases is that very often the child themselves, him or herself, is not willing to participate in the prosecution. That is they're not prepared to testify against those persons who are charged, their pimps or their johns, for reasons that will seem relatively obvious to most of you. They're afraid, sometimes of retaliation, and they are children, and children participating in court proceedings generally are often overwhelmed by those proceedings and intimidated by them.

We have for sometime in the Criminal Code had special protections or special protections available to child witnesses in cases where they have been victimized in violent crimes or sexual crimes.

In 1997, the Criminal Code was amended to ensure that those same protections are available to these children — children who have participated or testifying in a case involving child prostitution.

So these amendments recognize the vulnerability of these children by permitting them, as with all children who have been sexually abused, to testify outside of a courtroom or behind a screen or with another device which will allow them to not see the accused while they're testifying. Also it enabled us to obtain videotaped statements from the child at the time or approximate to the time of the offence and enables a child to adopt the contents of that videotaped statement at the time of the trial which reduces the number of times the child has to describe the event that they have gone through.

Also the publication ban provisions were expanded to enable a court to ban publication of the identity of a child who is testifying in a prostitution-related hearing.

The slide says "Pending Amendments to the Criminal Code of Canada" — these are in fact now real amendments to the Criminal Code of Canada; they were proclaimed in force on May 1, 1999, which is what it says in the first line. Again I refer to you to the change to the communications provisions. But also the amendments in May of this year expanded the availability of the use of electronic surveillance to investigate prostitution-related offences. The amendment says that police can get a warrant to bug certain places, where they think prostitution activity is going on and collect evidence in that fashion. Prior to this amendment they couldn't have done that.

**Mr. Pritchard:** — We're going to do a legislative comparison of other province's legislation, talk about Alberta's PCHIP, The Protection of Children Involved in Prostitution Act, and then the Manitoba amendments to The Highway Traffic Act.

There's a comparison between Alberta and Saskatchewan. The Protection of Children Involved in Prostitution Act was proclaimed in Alberta on February 1, 1999. For the period of February 1, 1999 to November 30, 1999 — then we couldn't get any December stats; I checked yesterday and they didn't have them in yet — there were a total of 245 apprehensions involving 123 individual children. Of these 123 individuals, 49 of them were repeats, which means that they were . . . there was 245 altogether; the 49 of them were apprehended once or twice, three, four, five times.

You got the comparison for Alberta on the one side, Saskatchewan on the one side. The child in Alberta's PCHIP, the child is defined as a person under 18; in Saskatchewan a child is defined as a person under 16 but there are provision to extend to 16- and 17-year-olds.

Alberta, the child in need of protection, the child engaging or attempting to engage in prostitution, and in Saskatchewan, the amendment will include and does include involvement in prostitution.

Ability to confine and hold, Alberta's legislation, PCHIP legislation, has the ability for a designated officer to confine a child for up to 72 hours in a safe house for an assessment. In Saskatchewan in our amendments, there is no authority to confine.

Hearsay evidence, in Alberta it permits hearsay evidence; in Saskatchewan as well our amendment does permit hearsay

evidence.

Offence provision, it contains offence provisions in Alberta; in Saskatchewan, the amendments, it's broader offence provisions.

Penalties, in Alberta it's \$25,000 fine and/or 24 months in jail; in Saskatchewan, we've amended The Child and Family Services Act to have a \$25,000 — maximum of \$25,000 fine — and/or 24 months in jail.

Safe shelters in Alberta, they have protective safe houses as prescribed by the minister. And in Saskatchewan we have broader ranges of safety. We do have a safe house as you know in Saskatoon run by STC (Saskatoon Tribal Council) as well as a satellite home, but that's the only unique service we have for that client group. However, we do have broader, like I say, broader ranges of place of safety such as the children's shelter in Saskatoon, Dale's House, the child care centre in Prince Albert as well as therapeutic group homes across the province as well.

Manitoba and Saskatchewan comparison. On February 28, 1999 Manitoba amended their Highway Traffic Act and it was proclaimed on February 28. It allows police to immediately seize vehicles and impound them that are used by anyone soliciting persons for the purpose of prostitution.

And I got stats up to November 18 from the impoundment registry in Manitoba yesterday, and they said that since the legislation came into effect, they have seized 60 vehicles from perpetrators. All but two of them have had their vehicles returned.

To get their vehicles back, what they have to do is pay an impoundment fees, attend john school, successfully attend john school, as well as pay the administration cost for the john school which I think was \$450. The two that didn't get theirs returned weren't eligible for john school because they were repeat offenders so they didn't get them returned.

One thing about Manitoba that they didn't really expect to happen — a majority of these vehicles are from different owners. They belong to spouses, girlfriends. During the Pan-Am Games they confiscated some cars that belonged to some officials that were leasing cars at the Pan-Am Games. So that's one thing they weren't counting on to happen.

**Mr. Yates:** — Can they hold a vehicle that isn't owned by the registered owner? Can you impound a vehicle that isn't held by the registered owner?

**Mr. Pritchard:** — They do that night but the registered owner can get it out.

**Mr. Yates:** — Yes, that's happening.

**Ms. Bourassa:** — . . . actually for the registered owner to apply to have the vehicle released. And in order for the registered owner to be able to do that, they have to establish, to the satisfaction of the registry people, that the vehicle was not being operated in that fashion with their consent.

**Mr. Yates:** — Yes, but rental cars or anything like that would . . . (inaudible) . . . the effectiveness of it.

**Mr. Pritchard:** — Outreach services developed by community representatives. Community development approaches lead the delivery of outreach services in the province.

Since 1997 Saskatchewan has committed \$972,000 for community-based services for children and youth at risk and children involved in prostitution. Five communities have received this funding. Regina, Prince Albert, and Saskatoon have received the majority of the funding, as well as La Ronge and North Battleford.

Program development is guided by interagency communities in Prince Albert, Regina, and Saskatoon. And I'll get into more depth on them in these next slides.

The Prince Albert structure. The City Race Relations Committee oversees the work of community agencies. There's a youth council established to identify issues and solutions. They have a youth activity centre which opened in May of '98 and they have an outreach co-ordinator and support. That's Peggy Rubein; some of you might know her. As well, they have a mobile van support to street youth.

The Regina structure is led by the Regina Crime Prevention Commission which leads the work here in Regina. They're chaired by Terry Mountjoy. He works with the city of Regina here; I'm not sure of his portfolio. But they also have a number of community groups, about 36 community agencies, and government departments sit on this group and they meet . . . I think it's four times a year.

Some of the services in Regina. You have ACCAR, the Action Committee for Children at Risk, which provides outreach services in Regina. And the North Central Community Society's Safety Services. They operate a mobile safe shelter here in Regina that basically they go around the north central area and hand out sandwiches and stuff. Neither one of these agencies here hand out condoms or needles.

The Saskatoon structure. There's the, as I said before, it's led by the Saskatoon Communities for Children Committee which represents all the community agencies. It's co-chaired by the Saskatoon Tribal Council and I think that's Sandy, is it, Sandy LeBeouff, and Social Services regional director Ron Pollock.

Some service initiatives in Saskatoon are Egadz Youth Centre for outreach services as well as Saskatoon Tribal Council. They have the safe house there and the satellite home. The safe house has been in operation about a year now and the satellite home has been in operation since last April.

Like I said before, the proclamations of the amendments . . . they'll be proclaimed mid-January, hoping January 18, but they will be proclaimed this month. Since the legislation was passed, the police, the Department of Social Services, and community groups have been working together to coordinate implementation.

Would you want to talk about policing policy now? It's the next

one.

**Ms. Bourassa:** — As you may or may not know, in 19 — I'm going to get the date wrong, I'm sure — I think in 1996 cabinet endorsed a five-part strategy for responding to the issue of children involved in prostitution in Saskatchewan.

Among the planks of that five-part strategy something called a strict law enforcement policy would be adopted. In furtherance of that part of the cabinet strategy, a series of policies have been developed and we're in the process of implementing some of those policies right now.

The first policy that was developed was a policy and practice directive for prosecutors. And that policy and practice directive has been in force since late 1997. It's been sent out and all prosecutors in the province are obliged to comply with the policies when making decisions in these cases.

In essence what the policy states is that we will treat child prostitution cases in the same way that we treat child abuse cases. That is, the prosecutor will provide necessary supports to child witnesses in those cases; they will ensure that victims' services are made available to those children who are involved in those cases, and that the prosecutor will take the time necessary to make sure that the child is comfortable if they have to testify in a proceeding.

They are asked to comply with their existing policy on child abuse cases, which policy is informed by the provincial child abuse protocol which has been in force in this province since 1985. They will make every effort, the policy says, to provide supports to these child witnesses when they want to have them testify in a case. And where it's possible to proceed or prosecute without having the child testify, they will endeavour to do that.

They will seek penalties for those convicted of offences involving the prostitution of children that will reflect society's abhorrence of this form of child abuse. In other words, they'll seek strong penalties.

There's also a direction here about what the Crown should do if a child is charged with a prostitution-related charge, because children can be charged with the offence of communicating for the purposes of prostitution as adults can.

If a child is charged with a prostitution-related offence, the Crown is asked to look carefully at the circumstances of the case and determine whether or not the child can be dealt with other than through the normal court process. And the usual phrase here is we refer them to an alternative measures program, which is a program that if the child successfully completes, the charge is dropped and no further proceedings are commenced.

The reason that we don't have in the policy a blanket immunity from prosecution is this: some of these children, despite our best efforts, despite repeated interventions, persists in engaging in prostitution-related activities on the street. Some of these children are actually pimping other children and putting other children at high risk. And in those cases we feel that the Crown

should have the discretion to prosecute those cases.

Also, unfortunately, it is true that these children sometimes commit very serious offences. It is not unheard of for children involved in prostitution to murder someone in the course — you know, a john or a pimp — and it's very difficult to justify not proceeding with the prosecution in those kinds of cases. So that's why there's no blanket sort of "don't prosecute these children" statement.

Now I've given away all the copies of the police policy so I don't have one here. I apologize for that ... (inaudible interjection) ... Thanks. Thanks very much. Oh, that's the wrong one. I'm sorry. Wait a minute. I may have it. Here we go. I've got it.

Okay. This year, after a great deal of negotiation with police and community groups and others — about two years worth of work actually — the Saskatchewan Police Commission issued this policy, which unfortunately the copy that we've provided to you today says "confidential until released by the police commission". It is identical with the final copy but the final copy doesn't say that on the top.

It was released in July of this year and it is a directive to all police services in the province about how they should handle cases where children are involved in prostitution. And I'll let you read it at your leisure. It's quite a long document but we'll just sort of hit the highlights of it here.

The primary tenets of the policy are that these children are to be treated as victims of abuse and those who involve children in prostitution are to be held accountable for their behaviour. And wherever possible, the police are encouraged to lay criminal charges against those persons who involve children in prostitution.

These children should be given the same protections that are given to all child victims of crime. The police have ... very many police services in the province have affiliated victim services programs that operate in the police service. One of the things the policy does is it directs the police to involve that victim services program, where it exists in these cases, to provide supports to these children.

The policy further directs that police will not ... will make every effort to respond to the needs of these children without charging them with an offence. And it directs them to work with child and family services people in their jurisdiction to develop a case plan to meet the needs of these children in a way that will assist them in getting off the street without accessing the criminal justice system.

The policy speaks to a number of issues. It speaks to how the police should deal with parents, guardians and caretakers of children, particularly those unfortunate cases where the parents, guardians or caretakers are in fact putting the child out on the street to work.

It speaks to how the police should deal with perpetrators, or johns as it's more commonly known, suggests to them a number of charges they can consider other than just prostitution-related



charges, and directs them not to send these people to john schools where john schools exist, the philosophy being that persons who are engaging in this kind of activity or forcing children into this kind of activity are generally not suitable candidates for alternative measures programs.

So if you look at the Manitoba situation where they seize cars and the cars can be got back by the offender participating in a john school. That would not be an option for an offender here if they were involved in child prostitution activity.

There's a specific direction for how they will deal with those who pimp children and some suggestion for the kinds of mechanisms that the police can use to charge these individuals. There's also some direction for what they do when they arrest these individuals; whether or not they hold them for court, keep them in custody until a judge determines they can or cannot be released, and what kinds of release conditions they should routinely be imposing.

As well, it tells them how to deal with these children as witnesses. So, it's a fairly comprehensive document.

When the policy was released, or issued by the police commission, there was with it a companion document which you have in front of you that was drafted by Social Services. And the intention of that document is to provide some direction to field staff on how they are to work with police in these cases. Because you'll see that the police policy essentially says that the responsibility for these children generally will be taken up by child and family services personnel wherever possible. So the document that's prepared by Social Services speaks to how they're going to exercise their discretion.

Now what we've done with this policy is — these policies — is in July of this year, shortly after the police policy directive was issued, we held a series of one-day workshops with field staff, both Social Services field staff and police field staff, to acquaint them with the policy and help them develop mechanisms to sit down and work out how they're going to implement the policy, because it requires a high level of collaboration for the policy to work effectively.

Small working groups have been established in each of the major centres in the province, meaning P.A. (Prince Albert), Saskatoon, and Regina which is where the issue is most prevalent. And those groups are working together to ensure that these policies can in fact work.

**Mr. Pritchard:** — The challenge for the Department of Social Services is twofold as number one says, like remaining engaged is a challenge as it takes time to gain these youths' trust. You know, from what we heard from the youth, youth and the community, we need to invest in the long term with these youth, get their trust in order to make some positive, effective changes in their lives.

As well, continuing to work collaboratively with referral sources, family members, neighbours, and other agencies on integrated case management plans, but expectations held by those concerned about the youth may differ. So that's a challenge as well because there's so many different people that do have an vested interest in these youth, and they have

different case plans and different views of what's happening on the street. And to get everyone to collaborate on a case plan is a challenge.

And with that, that's the presentation. I don't know if anyone's got questions or if Laura wants us to . . .

**Ms. Bourassa:** — I actually wouldn't mind taking a minute just . . . if you're comfortable with me doing this — I think we've handed out, too, something that says chronology on the top. And what we've attempted to do in this document is outline some of the key events that have happened over the last decade, in Canada and in Saskatchewan, dealing with child prostitution.

And we tried to highlight some of the many reports and task force reports and other recommendations that have issued across the country on this point. So that at least you would have some familiarity with their existence.

There are two that are missing from here. And I think that you're probably quite capable of reading through this yourself. I'm not going to take you through it, but there are two things that are missing. One is that in about 1990 — Where did I write it down? — In 1996, you have 1996, March '96, you've got B.C. Community Consultation on Prostitution in British Columbia. About that time, the university women of Regina issued a report that flowed from a symposium that they held in Regina in March of that year; so that report isn't referenced here. And also in 1997 the Alberta task force issued its report, and unfortunately we neglected to reference that report in here in the chronology. But just taking a look at the chronology, you'll see that there have been a lot of initiatives taken and a lot of reports done, a lot of documents produced; most of which we're in possession of and could provide you if you wish.

The other thing that we wanted to draw to your attention is that the Alberta legislation has been subject of constitutional challenge. The challenge was brought I believe in November of 1999, and it's expected that the court will reconvene in January of this year to set a date for further argument. The constitutional challenge is on the basis that the province doesn't have jurisdiction to make a law like this because it's in essence a criminal law, and that's only . . . only the federal government can make that kind of law. That's one plank of the challenge.

And the second plank of the challenge is that it offends many Charter of Rights, particularly the right to be free from arbitrary detention and the like. So there's a series of Charter arguments that are also being brought.

It's clear that the court is anxious to have a full hearing of those issues, and in our conversations with officials in Alberta, it's anticipated that regardless of the decision the matter will likely be appealed to another level of court.

**The Co-Chair (Mr. Prebble):** — Laura and Randy, we want to thank you very much for those presentations. Before we move into questions and comments by members, Dan, I just wanted to check with you. Were there further comments that you wanted to make?

**Mr. Perrins:** — No, only other than to probably enforce the

co-operation that we want to extend to the committee in any way we can. And I know Laura has mentioned in terms of sharing documents or any other resources that we might have.

But just by way of just a personal observation, and I think the route in it is, I think, are collectable to address this serious problem. And I know I've come back to Social Services having been gone for 10 years, and I was . . . When we were speaking to Peter yesterday as Chair in anticipation of the material you might need today, I was reminded of when I was a caseworker years ago, the extent to which child prostitution was prevalent then, only not seen in the same way.

And in effect in Regina — Saskatoon to a degree as well — but certainly in Regina the children were residents of hotels, many downtown hotels, most of which are not there now. I think it was I think more extensive now. It's also in a different place — it's on the streets — and I think it's just heightened the visibility but also the concern around it.

But I do want to stress that it doesn't mean it's not a serious problem; it does but it's not a new one for us. And there are experiences that collectively people have had in trying to address the problem. I think it's important to put it in that context as well. I think in addition it's also one . . . It's a presenting problem, one of many. Young people, and you know this yourselves, well, you know, represent behaviour problems in many different ways, and this is one of them. There are many others though. This isn't the only one. Whether it be other — not other, but criminal behaviour or acting out behaviour or learning problems, drug dependency. There are many other problems that exist. And I know you know that but this is, this is one of them, and it manifests itself in a particular way. But it is only one of many other problems. That's all I would add, Chair.

**The Co-Chair (Mr. Prebble):** — Thanks very much, Dan. I want to open this up now to questions from all members, and I'd invite you to address your questions. And just for the benefit of *Hansard*, if you don't mind, just I'll recognize you formerly just to help *Hansard* staff. June, did you want . . . Were you anxious to get on? I see . . .

**Ms. Draude:** — I just want to know if it's possible to have just a short break for a couple of minutes.

**The Co-Chair (Mr. Prebble):** — A short break for a couple of minutes. Would members like to do that for . . . Shall we say we'll have a five minute break then and come back within five minutes. Good.

**The committee recessed for a period of time.**

**The Co-Chair (Mr. Prebble):** — I'm going to invite members of the committee to ask any questions that they want to of our officials. So I know that Don had a question, and I know Kevin's got questions. June, you had questions. Don, why don't we start with you? And then go to Kevin and then you, June. Don.

**Mr. Toth:** — Thank you, Mr. Chairman. Just a question going back to the presentation. You talked about, I think you talked to

. . . You mentioned you talked to youth groups or young people, and you've got running from abusive home or care environments. When you're talking abusive are we, are . . . You run into situations where the abuse may be more they just are rebelling against the parental authority. Or are we talking of significant abuse that they're just getting away from? They can't handle it any more.

The reason I ask that is because there seems to be quite a push to, well, your child is able to make its own decisions and any form of corrective measures that were disciplinary action may be considered . . . almost construed as abuse. And there are people who rebelled against it because they just don't like the fact that their parents have set some guidelines for them. And I would like to know exactly what you mean by abusive home, because I think we need to certainly recognize the fact that I think we're . . . The family unit as we know it seems to be disintegrating, and in many cases families are finding themselves more subjective to scrutiny by social agencies or even police departments because of how we use the word abusive.

**Mr. Pritchard:** — Yes, we didn't . . . That piece we didn't really define it, but I think what we're talking about there is an abusive home where children are getting sexually abused at home, mistreated — physically mistreated. We really didn't define it though to the fact of whether it be just a parenting-conflict type situation. But, here again, this is what the youth at the summit, the Victoria summit, the feedback they gave us was what they said why a lot of them were running from home was from an abusive home.

So I don't know what or how they defined it really. Well, the answer would be probably from, from some type of sexual abuse or physical abuse in the home.

**Mr. Perrins:** — Our own experience, just generally, if you think of a broader look at it, not just in terms of what the young people are saying but by and large people that are . . . I think our own staff's view would be that we're not really talking about . . . I mean in some instances, yes, but by and large it's not a parent/child conflict. It's a much more profound problem in terms of whether it is sexual abuse or physical abuse or just the situation at home is so deplorable in terms of the parents' alcohol, substance abuse that the child, the young person has actually left.

By and large, I think statistically that would probably account, I think Randy, for a very high percentage of the young people we're talking about.

There are some that leave home around the strictness of the rules, but generally speaking, you know, they've come from a structure where they'll find some other alternative. They're not often . . . not in Saskatchewan, they're not often the ones that'll end up on the street.

**Mr. Pritchard:** — The ones who run from a strict home and that — we do have services at Social Services where we offer them parent/teen mediation, that type of service. We then try to work with the family to get the child back into the home with the family.

**Mr. Toth:** — I guess the response you've given, certainly that's what my view would be of abuse when we're talking situations like this because there's no doubt — just from even some of the documentaries and certainly that conference in Saskatoon — there's situations out there that a lot of us may not be aware of and it's very difficult to imagine what some children have to go through and you can appreciate why they would leave home.

Another question I have and it just popped out of me. You talk about hearsay evidence, and the word hearsay I guess . . . when I think of the word hearsay I just think someone: well I heard this or this is what my friend said to me is happening. And what exactly what are we speaking of here so that we're not, we're actually have some real clear evidence; it's not just somebody said something and so we're all of a sudden going to jump on the bandwagon and lay a charge or whatever.

**Ms. Bourassa:** — The intent of the amendment that's referenced in that session is to enable persons to whom a child discloses or makes a statement to testify instead of having the child testify. So the child is apprehended by Social Services and in the course of their dealing with that child, they become aware that the child was involved in prostitution activities, that perhaps they're there . . . you know, working on the streets because, you know, their mother says that that's what they have to do on a weekend to make enough money or because their boyfriend put them out there.

And for the purposes of a protection hearing only — okay that's what that amendment speaks to is The Child and Family Services Act protection hearing — the child and family services worker can testify as to what the child told him or her. Now of course that evidence will be subject to being tested. You know, the person will be cross-examined about, you know, how they got that information; you know, how they illicited the information from the child and other information can be presented.

But the intent is to enable that information to be presented at a protection hearing without further traumatizing the child by asking them to testify in that proceeding. So it's intended to be narratives from the child to the child protective . . . protection worker, or at least that's my understanding of the amendment.

**Mr. Toth:** — What efforts would be made to do some follow-up to make sure that . . . it's, you mentioned about the fact, yes in a court proceeding that could be challenged. But if in a court proceeding it's challenged and it is shown that it was totally irrelevant, we should never have been involved, that it's totally erroneous, it would seem to me something like that should be researched very in depth before it's even gone to court because you may have innocent people dragged into a scenario that they have no knowledge of simply because of hearsay evidence.

**Ms. Bourassa:** — Well yes. I mean if it was a criminal proceeding, I think that the issues you raised would be far more significant than they are in this case. Generally speaking what we are talking about at a protection hearing is the relationship between the child and the caregiver. And the protection hearings have a much lower standard of evidence. It's a far less formal procedure than a criminal procedure because the risks in

a criminal procedure are so significant to the reputation and well-being of the person who has been accused of a crime. In a criminal proceeding, evidence of the sort that is referred to here would not generally be admissible. But in the course of a protection hearing, we're saying it should be admissible because it's often the most efficient, effective, and least traumatic way to present the evidence in the proceeding.

**Mr. Toth:** — So what you're basically saying, you're trying to not put a child through more traumatic circumstances where it's quite evident that what had been said to a worker or whoever, there's certainly the evidence to substantiate that comment, and that saving the child ending up in a courtroom facing the person that's been accused.

That could be fairly intimidating if a person is, as a defendant, and then a child and you've made an accusation, the person that's sitting there, facing that challenge as a child could be quite intimidating.

But I think it's important that . . . What I'm saying, mean by intimidating is, you're on the witness stand, you're looking your accuser in the eye and you're not . . . it's not as easy to just come out, because the looks can be very intimidating. And I think that's what you're talking of here.

But I also want to feel . . . would like to feel that there is a significant effort to be certain that that type of evidence is, after a certain research, is beyond a shadow of a doubt is submitted . . . or positive evidence to be submitted, rather than just . . . I don't like the word hearsay but I don't know what other word you use in it.

**Ms. Bourassa:** — It's my understanding that the child protection worker who would appear in such a proceeding would not just be relying solely on what the young person reported to them but would have available to them a full range of circumstances in fact, which they would I'm sure be assessing the statement made by the youth in that context.

**The Co-Chair (Mr. Prebble):** — Dan, do you want to just clarify something?

**Mr. Perrins:** — . . . as Laura described earlier, there are two proceedings. There's the Criminal Code proceeding where the perpetrator is charged and the manner that the young person is allowed to present their evidence, which would be direct evidence not hearsay. Right?

**Ms. Bourassa:** — Generally.

**Mr. Perrins:** — Generally speaking. There are other provisions to protect the child and how the child presents evidence.

Then there's the child welfare hearing, which is really to determine the capacity of the parent to care for the child. It's in that hearing where hearsay evidence is allowed with respect to prostitution activity or sexual exploitation. Right, so the young person there isn't confronting the accused, as it were. The actual proceeding is with respect to the state and the parental capacity to care for the child.

Laura, I think that's the difference.

**The Co-Chair (Mr. Prebble):** — I'm going to recognize Kevin for a moment.

**Mr. Yates:** — On a point of clarification, Dan. Would hearsay evidence not generally be used on a short-term intervention to allow further investigation of an issue where there's a complaint come up? So it might be for a 15-day period to allow the social workers and others to do a further investigation of the home studies and that type of thing. As well, when there's an allegation of a serious problem, to intervene immediately and then do further investigation when hearsay evidence is more prevalent?

**Mr. Perrins:** — In a child protection hearing, hearsay is used a lot. And it's just the discretion of the judge to say, well, to weigh that; you know, I think always looking for more corroboration and more substantiation.

**Ms. Bourassa:** — I think what I hear you asking is: what protections are there against false allegations being made by children. And we start from the assumption when we deal with children who are involved in these cases, which assumption is borne out frankly by lots of research, that generally children aren't making false allegations of sexual abuse. There are cases where they do — it's true — but we assume, until it's proven to us otherwise, that the child is telling us the truth. And so it's our obligation then to investigate that.

And at a child protection level, that investigation will take a certain course. There are procedures that are in place that child and family services workers use to corroborate, in essence, what the child is saying. Has anybody else seen this kind of activity? Is anybody else aware of this? What's the past history with this family and the like.

In a criminal proceeding, the investigation would be much different. In the criminal proceeding, there would be actual direct solicitation of other direct evidence to support or not support the child's statement.

In all cases where persons lie, there is always the possibility that they can be charged with an offence of mischief under the Criminal Code, which is giving a false statement which causes an investigation to occur and a charge to be laid which should never have been laid. Or alternatively, if they testify, they would be subject to perjury charges.

Now of course under the Criminal Code, charges are only an option where we're dealing with persons who are over 12 years of age, because that's the age at which the Young Offenders Act starts to apply to these youth.

**Mr. Perrins:** — And I think too it's an implication of moving from seeing a young person who is sexually exploited as a victim rather than someone who's committed an offence.

**The Co-Chair (Mr. Prebble):** — Kevin, I'll recognize you again for any additional questions.

**Mr. Yates:** — I have a couple of questions either Laura or

perhaps Dan or Randy can answer. But dealing with punitive measures like going back to the issue of taking away somebody's vehicle who's been involved in soliciting or trying to procure a young person, does that really have any effect on deterring the activities?

Or is that just something you can see . . . I guess the point I'm trying to make is taking a vehicle away — and 58 of 60 are getting them back — does that not just push it underground to other methods of doing it, taking it off the street and into a hotel and somebody phoning or those types of methods which really . . . At least when it's visible, there is some — unfortunately — there is some protection in that people are at least raising the issue. And if goes away off the streets, to some people the issue's gone away, when in relevance it's only gone underground.

And so I don't know those types of solutions have been effective. What are you hearing back from other jurisdictions and other countries? Some other countries in Europe and that — they've used other measures? Are those effective ways to deal with the problem?

**Mr. Pritchard:** — What I heard from Manitoba was they haven't seen a decrease in cars going out on the street looking to solicit a young woman. They've been doing some major stings lately. And especially in November, they did three major stings three nights in a row where they got 15 cars one night, 15 cars the next night, and 20 the next night. And it was all over the news and you would think that if the public knew that the police are out doing stings by that third night they wouldn't have got 20 cars.

So they're still out there and they haven't seen a decrease. And it's only . . . well it'll be a year that the legislation's been in place in February. But they haven't, in Manitoba, they haven't seen a decrease.

**Mr. Yates:** — So it may be visible but it doesn't solve the problem?

**Mr. Pritchard:** — Yes.

And what they tell me in Alberta, the officials in Alberta have told me that they haven't seen any, I guess, evidence that children are moving underground. There was some media reports that these children may have been moving into trick pads and stuff.

However, the Alberta officials tell me that trick pads in Calgary and Edmonton are a more sophisticated type of prostitution. It's more organized crime by the Asian community there, so they don't really have children involved. It's more, I guess high level, sophisticated type of prostitution. It's not a dirty, gungy, basement type thing like you see in the movies or anything like that. It's I guess like a bawdy house type thing.

**Ms. Draude:** — Thank you very much. And thank you for your presentations. I really enjoyed them. I have four or five or six questions. Is that too many, or . . .

**The Co-Chair (Mr. Prebble):** — Let's try to get a . . . Why don't

you ask the first three.

**Ms. Draude:** — Okay.

**The Co-Chair (Mr. Prebble):** — And then we'll shift around. I'm just wanting to make sure that all members get some opportunity to ask questions, and it's eight minutes after 11 right now and I'm just mindful of the fact that we're adjourning at noon. Unless we wish to sit longer. I mean that's another option obviously as well. But go ahead, June.

**Ms. Draude:** — Okay then, I'll just start with . . . I know that you've identified Saskatoon, P.A., and Regina as the areas that have the most, highest percentage of children. Can you give us an idea of how many children are involved in this sex trade?

**Ms. Bourassa:** — Yes and no. We have no specific statistics that indicate the number of children that are working in prostitution in any of the cities in Saskatchewan. We have varying numbers depending on who the collector of the information is.

If you were to ask the police, the numbers tend to be quite low. If you were to ask a child-serving outreach agency like Egadz, you would find that in Saskatoon they estimate the numbers to be as great as 300, whereas police would say it's 45 or 50. So there's quite a variance in numbers.

And why is that? Why does that variation occur? Because there are a number of children who are visibly present on the street who are engaging in street-related activity that may turn a trick once but not do it again. The question becomes: are they children involved in prostitution or not? Some people would say yes they are, others would say no they're not; they're just street kids with other problems. So part of the difficulty in collecting data is coming up with a definition that meets all the criteria.

Then there's also the other issue of not all the children who are involved in prostitution are actually on the streets involved in prostitution. Some children are involved in prostitution, we think, through escort agencies and other sort of non-street level prostitution activities. Our access to those children and our ability to identify them is limited by their lack of visibility.

So the short answer is no, we don't know. We think that, you know, it's somewhere between 50 and 200 kids in each of Saskatoon and Regina, and a smaller number in Prince Albert. We have, as far as I'm aware, no significant numbers reported in any other communities in the province, with the possible exception of North Battleford who may have seen a couple of kids out. But the big numbers are in Saskatoon and Regina.

So I apologize for the unsatisfactory answer, but . . .

**Ms. Draude:** — I think I expected that would be the answer, but I was just wondering . . . give me a general idea.

I know that when you met with your community groups or different groups, you identified some of the problems and some of the solutions. And I'm wondering if you did any profiles on the children that you have identified and seeing if there's any common theme.

I know you talked about the social economic background, but as things like FAS (fetal alcohol syndrome) or FAE (fetal alcohol effects) have been identified, is there more native children compared to white children? Have you done that type of analysis?

**Ms. Bourassa:** — As government we haven't specifically done that type of analysis. Although there have been a number of reports that have issued in Saskatchewan and elsewhere over the past years, most notably the Communities for Children work, the Saskatoon mayor's task force, the Regina COTS Committee which is Children Off the Streets, which was a Regina Aboriginal Human Services Co-op report, the university women's group. There were some early reports in '93 or thereabouts about street children in Saskatoon. There was a report done by SWAP (Street Worker's Advocacy Project) which is a — I never get the acronym right — but it's an advocacy group for adult female prostitutes.

All of those little reports contain within them little profiles of the people that they interviewed and interacted with. And as far as I can recall from reading the reports, FAS has never been sort of clearly identified as a predictor or as a factor although dependency in dysfunctional families and, you know, substance abuse problems within family have been identified as problems.

We know that the Saskatchewan situation with respect to prostitution is somewhat unique across the western provinces, particularly between Saskatoon, Alberta, and British Columbia in that we have a significant overrepresentation of aboriginal youth who are engaging in prostitution, predominantly aboriginal youth working the streets in Saskatchewan, which is not the situation that we see in Alberta nor is it the situation we see in British Columbia.

**Mr. Perrins:** — I think, Mr. Chair, in terms of some overview to members, we can certainly provide those in terms of we've done more analysis of the general child protection caseload itself which would, I think in some respects, have merit in the street where young people are and Saskatoon would be an example, I think. The in-care population, and so the young people in care of the minister, is approximately 70 per cent of the young people are First Nations or Metis children.

It's slightly lower in Regina and again our young offenders population we have done some analysis of both in terms of ethnic background, gender but also presenting social problems in poverty, FAE, FAS so we could certainly share those with you. But we have not done an actual profile of young people engaged in prostitution.

There's a very good study that we've just done, Randy, on the young offender . . . custody young offender population that I think would have some related benefit because again there's some of the very similar children. And there it is much more detailed in terms of the range of issues around education, drug abuse of the parent, as well as the young person themselves. So we would be happy to share some of that.

**Mr. Pritchard:** — I've got a summary of discussions that we had with select stakeholders when we did the consultation, so I'll just pass them down, and you can have a look.

**Ms. Draude:** — And I'll just ask one more question then.

When you had discussions with community groups and I noticed that there was no one has ever directly talked to the children, have any groups like this gone out? And I know I myself wouldn't be able to identify them but I have had opportunities to talk to people who have dealt with them and they've asked me to, say, come out, come out with me in the evening and spend a night. And I know that when I did that as a ride along with the police a number of times it definitely was an eye-opener. So have any of these groups got information directly from the children in that form?

**Ms. Bourassa:** — Many of the studies that have been, that are referenced in the chronology that I gave you, had as part of their methodology direct, sort of, interaction with youth on the street and interviews to collect information from them. But, more specifically, when we were . . . over the last year, we held . . . there was a symposium on street life held in Saskatoon. A focus of that symposium was prostitution-related activities. And that symposium was organized in large part with the strong involvement of youth, and youth were a very dominant presence at that symposium and spoke quite eloquently and openly in circles throughout the conference to many people who were present representing government and non-governmental organizations.

As well, when we did the implementation sessions on the policing policy and the companion Social Services document, part of the implementation was to have youth from those communities attend and speak to those present so that they had a sense that this is not, this is not, an abstract issue. These are real people. These are real kids with real issues. And the feedback we have gotten from that is that it's extremely, profoundly affecting and very helpful to those decision-makers who have to work with these kids, to talk to them.

**Mr. Pritchard:** — Yes, it was very powerful through part of it. We had RCMP (Royal Canadian Mounted Police) in tears at those sessions.

**Ms. Bourassa:** — And the outreach service providers throughout the province have been very helpful in encouraging children to come forward and speak and providing them the support that's necessary for them to do that. And giving access to those of us who are disconnected from that life to be able to talk to these children and hear what they think.

**The Co-Chair (Mr. Prebble):** — Thank you June for those questions. Ron?

**Mr. Harper:** — Thank you, Mr. Chair. And thank you for your fine presentation. In your presentation, you indicated that the five communities that have received some community based, funding for community-based services are Regina, Prince Albert, Saskatoon, La Ronge, and North Battleford. Are these the communities where child abuse and child prostitution have been reported? Or reports of it or cases of it have happened in these communities?

**Mr. Pritchard:** — Yes, we . . . North Battleford does have . . . that there's some reported child prostitution happening there —

not as extensive as in Prince Albert or Regina or Saskatoon. As well as La Ronge too, there has been some reported out of there, too, but at the . . . close to the bar that they call the zoo down there and stuff.

**Mr. Perrins:** — Yes, the funds were specifically allocated for children who are being sexually exploited primarily through prostitution. It wasn't a more general allocation that particular amount. It was two years ago. It was specifically for prostitution.

**Mr. Harper:** — These are the only communities in Saskatchewan that have reported any child prostitution cases?

**Mr. Perrins:** — No, I don't think we could say that. I think they're the ones that have had the most prevalent reporting of it.

**Mr. Harper:** — In your opinion, guesstimate, how many communities in Saskatchewan would have reported any instances of child abuse and child prostitution?

**Mr. Perrins:** — Well I think child abuse — I can't think of many that wouldn't have reported it. In terms of child prostitution . . . (inaudible) . . . again, I think there would be more . . . there would be other communities but you wouldn't see them described as prevalent.

And in particular, I think the most identifiable thing you see is the street life first. That's more the visible sign, the street life. And I think it is more prevalent in the communities that we've just talked of. It doesn't mean it doesn't happen elsewhere, but I think it was a place to begin.

**Mr. Harper:** — What would the average age of children involved in child prostitution . . . what would the average age be or what would they say the earliest, youngest be to the . . .

**Mr. Pritchard:** — I've heard . . . some police officer has told me that his youngest age was four.

**Mr. Harper:** — As four.

**Mr. Pritchard:** — Yes. Constable Malonovich from Saskatoon who had told me about that. Eight-year-olds, nine-year-olds, any age from four up.

**Mr. Perrins:** — Sir, I happened into a nine-year-old in the Clayton Hotel — this is years ago — a nine-year-old who looked five, and she was working. This wasn't an odd event, she was actually working. So no . . . it happens here.

**Ms. Bourassa:** — There have been studies that indicate that adult prostitutes, their average age of entry into prostitution is about 13. So while there are exceptions, you know I mean there are extremely young children, generally I think the population we're dealing with is you know 12 and older — the majority of the children — but there are 10-year-olds and 11-year-olds and 9-year-olds and younger that have been identified as being out on the street.

**Mr. Harper:** — Has there been any studies done as to determine not only the reasoning for these young people to get

involved into prostitution but to identify if there is a one more significant reason than another why children that age get involved in prostitution? Is drug dependency or alcohol dependency by the family a motivating factor for the vast majority of them, or is there other reasons that . . .

**Mr. Pritchard:** — I don't know if you can pinpoint it to one main reason. I know the youth have said that poverty is a big thing and peer pressure too, they said. You know, their friends are involved, they'll be doing it, and they'll say: hey you can get this much money and you can buy some drugs with this and you can buy make-up, we can do this and that. So they get enticed into it.

**Mr. Harper:** — The overriding factor, for the vast majority of children getting involved in prostitution?

**Mr. Pritchard:** — Yes, I don't know if I'd go as far as saying that's the number one factor, but it is a significant factor.

**Mr. Perrins:** — Yes, I'd say that actually the relationship is more again for Saskatchewan. I think that Laura's point about the prevalence of First Nations and Metis young people in direct relationship to who is on the street and who is poor. And so I think you could actually say that for us there is a high correlation between street life and poverty.

And I don't know if you want to directly say cause and effect, but all the things that go with poverty, because we also know that in terms of the relationship to education levels is much lower, the incidence of substance abuse is much higher, the lack of attachment to the labour force is much higher. So all those things constitute, you know, in a word what we have described as poverty, but all of them have a profound effect on children who grow up in those environments. The incidence of violence is higher, etc., so he looks back to the earlier question of what is abuse and why do some young people choose — if you use that language — choose to be where they are. It's because the alternative is worse and unfortunately the alternative is home.

**Ms. Bourassa:** — There was a *Juristat*, which is a document that's released by Statistics Canada, an affiliate called Canadian Centre for Justice Statistics. They did a survey of prostitution — not specific to child prostitution, but prostitution generally — throughout the country in 1996, and in February of that year they released the *Juristat* which is a summary of their findings. And they indicated that they identified the following as being risk factors associated with child prostitution. They say being sexually active at an early age and being a runaway are recognized risks. They found that as many as three in four prostitutes were former runaways. A history of physical or sexual abuse compounds the risk as does a family background involving substance abuse.

They also found that one of the risk factors was the demand for young prostitutes. They said that there is an increasing demand for young prostitutes and felt that this might be because customers perceive them to be less threatening or less likely to have a sexually transmitted disease.

They also found that offers of material or emotional support which precede the introduction into prostitution are appealing to

youth who have left broken or abusive homes. One of the things that sometimes happens is that because these . . . when they engage in prostitution activity they belong to a larger group and they get things that they wouldn't otherwise have.

They found too, as well, that often young people are introduced into prostitution by their friends. So peer involvement and peer support is an important factor, the level of acceptability in their peer community of engaging in that kind of activity. So those are some of the things they identified.

**The Co-Chair (Mr. Prebble):** — Thanks Laura.

Carolyn, you had some questions I think you wanted to ask. Why don't you proceed with . . .

**Ms. Jones:** — Thank you, Peter.

I'm wondering if there is anything definable between johns who solicit children and johns who just solicit adult prostitutes? Will they, you know, do they cross? Do they take whatever age is available or are there significant differences between their choices . . . in their personality that makes them make their choice, I guess?

**Ms. Bourassa:** — It's certainly a good question and one that is just beginning to be looked at and studied in any depth. For a long time those persons who engaged in prostitution-related activities with children or otherwise were sort of . . . we treated prostitution as a victimless crime and sort of, you know, we didn't pay a whole lot of attention to the offenders.

Recently though with the advent of diversion programs like john schools where those who are engaging and looking for this kind of activity are sent to a program where they learn about the impact of their activity on the community and the youth and all that, we're actually now in a position where we're starting to gather some information about those people. Because they're in these programs we can collect some data about them.

And the preliminary data that I've seen coming out of, I think it's the Toronto john school program, is that johns as a group — and I apologize to any Johns in the room, anyway persons with that name — as a group tend to be marginalized individuals as well. They tend to have a series . . . they tend to not fit well in their communities, they tend to have difficulties in their lives.

We're expecting a final report from the Toronto johns' school, I think sometime this year, and hopefully that report will give us a little bit more information.

There is also an article that has been done by I think his name is John Lowe, and he's looking at prostitution-related activities. And he's looking at offenders and trying to determine what motivates these offenders. His study does not differentiate though between those that are seeking the services of youth and adults; it's just those who are seeking sexual services generally.

There is always a concern that there are persons who are seeking the sexual services of children on the streets who are pedophilic by nature, that is that their preferred sexual partners are children or young adolescents, in which case they're called hebephilics

actually. But we always have the concern that those people are preying on children on the streets.

I'm not aware of any sort of documented proof that that's in fact happening, but anecdotally, police tell me that they know certain persons who are . . . they watch certain persons, who have demonstrated pedophilic tendencies, have maybe be convicted of a prior offence involving a child, looking for child prostitutes on the street so there may be some component of that.

There is a suspicion — and this is all speculation and suspicion — that the advent of the AIDS (acquired immune deficiency syndrome) generation, the advent of predominant fear about life-threatening sexually transmitted diseases has increased the demand for young prostitutes because there is a belief — wrong, okay — that the younger they are the less likely they are to have those types of problems and be in a position to transmit them.

So there is a sense that that fear, that global fear of life-threatening sexually transmitted diseases, is fuelling what we see across the globe as an increasing demand for younger and younger and younger prostitutes both male and female. But again, I'm not aware of any specific sort of study that says that is in fact the case. That's a strong suspicion that we have. And we're just starting now to have access to those offenders and be able to get some information from those so we can profile them.

**Ms. Jones:** — It just seemed to me to be a point worth looking at because someone who would solicit between four and nine year old to me would be more than a john. So I just wondered what type of information you had.

The other questions I have, Peter — I hope they're brief — is out of the presentation and I'm looking at the amendments to The Child and Family Services Act where it says it is an offence to allow or encourage a child to engage in prostitution, and I'm wondering about the word "allow"? I mean if lots of these street kids, their parents are aware that they're out there, they try to bring them home and they can't get them home, are they allowing them to be engaged? What do you mean by allow?

And if I can just kind of ask them all at once and maybe you can answer. Is there any sort of record of the number of convictions that have been successful since these amendments have been brought in?

And related to that just so that you only have to answer me once, kind of related to that is the part that says requires that anyone who is aware of child abuse or neglect — and I assume when you're talking child abuse you're including that prostitution is child abuse, right? So I'm just wondering how successful any of this has been so far since these amendments — I know that there's further amendment — but these amendments have already been proclaimed, right?

Oh no. These are still to be?

**Ms. Bourassa:** — Yes, they're still pending.

**Ms. Jones:** — Okay.

**Ms. Bourassa:** — They will be proclaimed in January.

**Ms. Jones:** — So forget about the number of convictions. I'll just ask if you tell me about allowing and being aware of.

**Mr. Pritchard:** — The allowing part was put in there . . . there are some parents that actually bring perpetrators home with them and allow them to have sex with their children for payment. And that was one piece why we amended that.

Anything further that you know on that? That piece? No. But that's why basically.

And there has been quite a few instances that we know of, like in Saskatoon and Regina where — and Prince Albert — where parents will bring home perpetrators for their children, that allow it.

**Ms. Jones:** — Okay. And that leads me to my last one, Peter. Certainly in movies and books there are prostitute parents who put their children into service, if you will. Is there any relationship or any data that you have that a prostitute child, a child involved in prostitution is the child of an adult prostitute?

**Ms. Bourassa:** — We have mostly anecdotal evidence. In other words we have stories that we've heard from children who are on the streets now and from adult prostitutes themselves who have children, that it is the unfortunate reality that in some cases prostitution is the family business. So that many, you know, the parents, the grandparents, the children, you know, it becomes sort of . . . becomes a family thing.

And so we do have situations where children are on the streets at the behest of their parents because their parents have asked them to go out on the street. But also because they've seen that that's how their parents, you know, get money to do things, and they sort of emulate that behaviour. So they're not, strictly speaking, being pushed on the street by their parents but they're modelling behaviour that they've previously seen.

**Ms. Jones:** — So is there a percentage? Like a number or anything that most of them . . .

**Ms. Bourassa:** — I'm afraid I can't give you.

**Ms. Jones:** — No. Okay. Thank you for your patience, Peter.

**The Co-Chair (Mr. Prebble):** — I have some questions myself. But before I ask them, I'm conscious of the time. And is it our wish to adjourn at 12? Is that what we'd like to do? Or are you willing to sit a little longer, to say 12:30?

**Ms. Jones:** — I'm willing to sit longer.

**Ms. Draude:** — I would be too. I think that this group is giving us some of the basic foundation we have to know to start with.

**The Co-Chair (Mr. Prebble):** — Right. Because I'm conscious that you have more questions, June, and that others have more questions. I have several questions. We have Gwenn.



You don't . . . Okay. We can do that maybe at our next meeting, Gwenn.

And we have to . . . We obviously need to hear from the Clerk, but she's indicating that we could do that at our next meeting — hear from her. And we need to make a decision also on the advertising for our staff position. But let's say that if it's . . . Laura, Randy, Dan, is it possible for you to stay till 12:30 for us to continue this? Or is that not possible? Okay.

Well listen, why don't we agree then that we're going to continue the discussion. And what I'll do is at about 10 after 12 we'll stop the question and answer session. It's now . . . I have 11:36 right now. So if we go to 10 after 12 and then spend 20 minutes dealing with the question of our staffing position and then call it quits. So that would mean for you to stay until about 10 after 12 in terms of our public servants.

Maybe I'll just put a few questions on the record that I think will probably require a little bit of research. But if you have any comments, you know, I'd certainly welcome them.

One is with respect to the number of children in the province that are being arrested and sent to youth detention centres, like Kilburn Hall in Saskatoon, on prostitution-related offences. So the number of children under 18 years of age who are being . . . It's my . . . Well let's take it by year for the last five years, by year. And also, if possible, by age categories.

So how many under 18, between 17- and 18-year-olds, how many, you know, between 13 and 16, and how many . . . I mean presumably we are not arresting anybody under 12. So I think it'd be useful obviously to look at 13 to . . . to up to 13, 14, and 15 and then 16, 17, 18. I think that kind of a breakdown would be useful.

It's my experience that there's a fair number of children who've been arrested over the years by police, and I think it would be useful to see the exact numbers and a breakdown by community, at least for Saskatoon, Regina and P.A., and by year and by age group.

I don't know if any of you have . . . if either Laura, do you have any comment on that, or do you want to just withhold that until you have a chance to . . .

**Ms. Bourassa:** — We don't have . . . we don't have any data that breaks down by age because of the way that data is collected for the purposes of the surveys. Data . . . the data that you're requesting would be collected by police services and so we would have to approach them and see whether or not they can provide us with that data. And I'm certain if they can, they will. It may be that they will not be able to work it out by age category, but to the extent that they can; I'll get you that information.

I can tell you that in 1994 in Saskatoon had a total of 112 prostitution-related incidents. Not by age, just a total of 112. And that number declined to 64 in 1995.

**The Co-Chair (Mr. Prebble):** — In 1995?

**Ms. Bourassa:** — Yes.

**The Co-Chair (Mr. Prebble):** — So in '94 it was 112.

**Ms. Bourassa:** — '94 it was 112.

**The Co-Chair (Mr. Prebble):** — And we're just talking children here now?

**Ms. Bourassa:** — No, we're talking total — total police attending to a scene. That number declined to 64 in 1995. In 1994 Regina had a total of 133, and that number doubled to 234 in 1995.

Of those, about 90 per cent were charged with communications offences which is, you know, look . . . being on the street, talking to people, and trying to get . . . that's in Regina, okay. In Saskatoon about 73 per cent were communication offences, which means that the other prostitution-related offences are procuring offences, so they had a higher rate of charging.

The *Juristat* that I referred to earlier that issued in February of 1997 tells that over 97 per cent of those persons charged with communication offences across Canada are over 18. In Canada between 1993 and 1995, there were a total of 324 communicating charges involving youth. Twenty per cent of that number, that is 64 of them, were 13 to 15 years of age. The remainder were over that age.

Seventy per cent were female and most of them received probation. And I can make a copy of the *Juristat* and give it to you, but we'll also seek further data on it.

**The Co-Chair (Mr. Prebble):** — Thank you very, very much for that. I'd also be interested in obtaining information on the . . . whether the . . . is the department currently monitoring the penalties that are being issued by the courts in various centres around the province for johns who have engaged in sexual activity with children? Is that something that's being monitored? And do we have a record of the convictions that are being handed out?

**Ms. Bourassa:** — It's not specifically being monitored by the Department of Justice. That data is routinely collected by the provincial courts and is relatively easy for us to access.

**The Co-Chair (Mr. Prebble):** — I think that would be useful to know because I think we need to get a sense for . . . you know, my sense is that the penalties generally that are issued are not particularly severe. Now there is exceptions but I'd be . . . I think it would be very useful for the committee to be able to see a record of all offences against johns, and here we're only talking about prostitution-related activities on the part of the john as it pertains to children. So anybody under 18 years of age.

**Ms. Bourassa:** — Yes, and that's where the difficulty may arise because of course the data is collected by charge. And the charge generally — unless it's a specific charge of communicating with a person under the age of 18 which is often difficult to prove as I mentioned earlier — won't differentiate between young prostitutes and older prostitutes. So what we'll get is a range of sentences.

I mean what I could . . . we could try and do is ask individual prosecutor's offices to give us what their experience has been in the courtroom. But the actual data that's entered by the courts doesn't contain the age of the victim as an indicator. And the charge would generally be 213, which is the number in the Criminal Code.

So it would show . . . what we'd get is a lump of charges. And what you'll see is with adult offenders the penalty tends to be a fairly low fine; where there is a young person involved there tends to be a more significant penalty, maybe just a larger fine but nonetheless a more significant penalty. We know that because we see it reported in the press more than anything.

But we don't have any easy way of going back in time and collecting data specific to youth. We'll try but . . .

**The Co-Chair (Mr. Prebble):** — Yes. Yes. Well maybe the inquiry . . . I would appreciate if you could inquire of the prosecutors because I think one of the things that the committee has to establish is whether the current laws that we have are truly being enforced and whether the penalties that are being issued by judges in the courts when the law is violated — and here I'm only speaking with respect to children under 18 and johns who are, you know, illegally engaging those children in sexual activities — I think we need to assess, you know, to what degrees are we effectively able, first of all, to identify those people and to convict those people; and when they are convicted, what sort of penalties are being dishied out because there's certainly a sense in the community that the penalties are not adequate.

I think there's a very strong sense in the community of that; you know, that what is a fairly heinous activity, you know, is not . . . the penalty is not terribly severe.

And secondly, there's a sense that a huge amount of this activity that's going on is, you know, people aren't being caught. And therefore, we've got laws on the books but actually enforcing them is difficult. So I think any information that you can gather from prosecutors on what their experience is . . . You know we need, I think we need to test this sense in the community against what the record is in the courts.

And it would be really useful to obtain that information.

**Ms. Bourassa:** — It may take some time to do.

**The Co-Chair (Mr. Prebble):** — I understand that. And I think we're going to be deliberating for many months so that's why I wanted to get this on the record now. And we can obviously pursue it further.

But also, I'd also be grateful if there could be — and we can test this out when we're talking with the police directly as a committee too — but it seems to me that the police are having an easier time with sting operations that arrest johns that are seeking sexual activity with 16-and 17-year-olds than they are with obtaining convictions against persons who are seeking sexual activity with 10, 11, 12, 13, 14, and 15-year-olds.

And the reason is that the police officer, since the amendments

anyway, has been able to pretend that they're under 18. And they can pretend to be 16 and 17 and they can get a charge. It's pretty hard for the police officer to pretend that they're 13 or 14. And the sting operation has been, in my observation at least, has been a major vehicle for the police to get arrests in terms of violations of the Criminal Code.

So I think one of the things we have to assess is, you know, to what degree are the police successful in identifying illegal activity among johns that's targeted at children 16 and under, or under the age of 16. That, it seems to me, is a really important issue and I don't see very many charges being laid in that regard.

And yet out in the community, the word on the street is that there's all kinds of activity happening with young people who are 13, 14, 15. And so the question that we then have to ask ourselves is, you know, how are we going to enforce the law around that age group? And I don't know if you have any observations on that issue or advice for us on that issue, or data that we can collect around that issue — you know, in other words, are in fact are most of the charges that police are laying around the older age group or are they successful in obtaining convictions against johns who are obtaining sexual services with younger children?

**Ms. Bourassa:** — The simple answer to the questions is I really . . . I don't know the actual data on this. But I do know that police have articulated concerns about their ability to effect arrests in cases of communication. Among the concerns that they have raised are ethical concerns. They wonder about the ethics of sitting back and watching and waiting for an offence to occur before effecting an arrest.

In other words, should they wait until the child gets into the car and drives away and some sexual activity begins before they intervene; and if so, you know, that presents to them an ethical conundrum because part of their job is the prevention of crime. So they have articulated concerns about their enforcement mechanisms.

And of course, the observation that you make about the usefulness of sting operations is probably an accurate observation. You're correct. I mean it makes sense that it's difficult to have a burly policeman pretend he's 13, 14 on the street. And so those operations are difficult to maintain.

But, more predominant among the difficulties that are experienced in prosecuting these cases is the lack of co-operation on the part of the child and/or the other members of the street community who may be witnesses to the activity. Because, of course, this is, at its base from a street perspective, an economic activity. Those who testify against johns or pimps face retaliation by the community because it may adversely impact on others ability to continue to work.

There's certain, you know, codes of silence that apply here. And very often, the only evidence that the police have that a communication took place would be the evidence of the person who received the communication. That is the child prostitute, who isn't going to rat out a good john. So that's a fundamental difficulty here and it's a difficulty that the police encounter in

many forms of criminal activity not just this. It's something that is sort of common when we deal with alternative cultures, you know, who have their own codes of conduct and a reticence to proceed to invoke the criminal law to solve their problems.

There is often too not a necessarily a close working relationship or friendly working relationship between police and those who are on the street. Those who are on the street are often very distressed when the police start major sting operations on a stroll. They feel it puts them at higher risk. And so when they talk to the people on the street, they're being told to back off.

So the police face many conundrums here and all of them, I think, impact on their ability to successfully . . . well to not just charge but to have a charge result in a successful prosecution. This is not easy stuff.

**The Co-Chair (Mr. Prebble):** — It certainly isn't, no. I agree with your assessment in that regard.

I just have one other question, and the rest I think I can provide to you in writing in terms of my own questions. But I just wondered if you could comment on the question of — and Randy, this is directed to you as well — your assessment of the adequacy of services in the province for ensuring the safety of children who are involved in prostitution activity.

It's been my perception that often when children are sent to youth institutions like Kilburn Hall, in the past it's been because of the lack of appropriate services in the community, as an alternative for the police to take those children to. Now in Saskatoon that's been corrected now to some degree with the establishment of the safe house in the last few months. I guess I'd leave it to the police to assess how adequate an alternative they find the safe house is to Kilburn Hall.

But looking beyond Saskatoon at the rest of the province, to what degree is it your perception that, in effect, arrest and placement in a youth jail has become necessary for the police because other services in the community aren't available? You know, to what degree do we have safe places to take children in the event that the police pick them up and find that they're involved in prostitution activity?

And I noted, for instance, often in a Saskatoon setting children would be placed, taken to an emergency foster home, but they wouldn't stay in the foster home. They would leave the foster home again. So some of the institutions that we, you know, have set up that work for a lot of things don't work around the issue of child prostitution. Those kids don't stay in their placement. They're out on the street again in a few days and of course that's very frustrating for the police officers.

So I wonder if you can comment on that and then I'd like to turn it back to other committee members to ask questions.

**Ms. Bourassa:** — The police have articulated on many occasions and in consultation, you know, in collaboration with their colleagues in child and family services, the frustration that they sometimes feel when they're dealing with youth who they find on the street who are in precarious situations, who are extremely intoxicated, potentially violent, fairly dangerous,

maybe possessing weapons or narcotics on their person. The police have hesitancy or discomfort with having these children turned over to Social Services because they sometimes have found, what you've expressed, which is that the child is placed in foster care and then is back on the street within an hour, again in the same precarious situation.

Unfortunately in some situations it is seen, even with a collaborative effort, that the best and most efficient way to get the child off the street and keep them safe for a period of time, a short period of time, at least until they sober up or whatever, okay, is often to effect an arrest of the youth and it is an unfortunate reality that by the mechanism of affecting an arrest there is access to a greater range of services sometimes for those children. That's what the police are concerned about and the police have articulated both in Saskatoon and Regina on a couple of occasions. They are working, however, with Social Services representatives to try and find ways to address those concerns using existing resources perhaps in a new way.

**Mr. Pritchard:** — Yes we do have a definite resource crunch for foster homes within the province, however, things are slowly getting a little better with the advent of the Saskatoon safe house and the satellite home.

As well we've got the new children's shelter in Saskatoon, and Dale's House that we use and therapeutic foster homes across the province. However, with the use of foster care, like we mentioned earlier, these kids are pretty tough kids and you know they can be apprehended and placed in a home and then they're gone right away and they're back on the street. It happens.

The feedback we've got from youth, it's happens, you know, six or seven times up to 20 times throughout their teenage years. But they keep telling us to keep investing in them and establish a relationship and someday someone is going to come across to them and then they'll make that decision to leave the street.

But I do think we need more resources. We do have 18 child and family service agencies across the province under the jurisdiction, non-reserve, to do child and family services. And they do have a number of resources themselves.

So our regional staff work collaboratively with them as well. So if we have an Aboriginal child that apprehended in an urban centre, we will work with that band and that agency to case plan and perhaps transfer that case out to the child's home community and then they can start from there with, you know, guidance from the elders and community people and extended family.

**Mr. Perrins:** — Mr. Chair, I don't want to sound a hundred years old here, but I'll just describe, if I can take a moment. We were talking a little earlier in the break.

I don't think it's only a case of what resources are or aren't available. I think it's also a matter of choices that have been made during the last, in particular, we'll say 15 to 20 years. Because in 1984, with the introduction of the Young Offenders Act, if someone would have said when we were implementing it

at the time that we would have at our disposal the equivalent of \$35 million for institutional care instead of the 5 million we had, I would of thought someone had said you can solve most of the problems that are present.

I think in part it's how we use the existing resources, it's how you enter the service network and it's who's entering it, and decisions that are made by a range of us, no question of that. Because we spend far more now than we ever did — far more — and yet the youth population of the province has actually decreased. Now the First Nations percentage of the youth population has increased.

As I say, I don't want to sound like a . . . my young adult children say I am a curmudgeon when I get to this. But I don't think it is only a question of spending more. I'm not talking about spending smarter or those sorts things. We have made some choices. We have far more beds available now, far more beds, than we did 20 years ago. We often hear it's less — we have far more. And we could present the committee with that information and the breakdown. But how we use them is significantly different.

And I agree with Randy, the additions that have been added of late in terms of the shelter in Saskatoon and the initiatives through the tribal council are important but there . . . As I say, if you look at the whole service network that's only at the institutional side of it. If you look at the additional programs and expenditures through our own department and others and also look at the expenditures in the community and community services, I think the challenge for us is how to use that differently.

And also look at the lessons of perhaps we ought to learn from persistent remedial action, rather than a far different kind of investment, and I know many of the members are familiar with the Hawaii initiative and the difference it has made. But it's an investment that you have to make and be patient with because the returns are not quick.

But as I said I would be remiss, Chair, if I didn't say that I appreciate there is a provision of service issue and it's critical and I hear it all the time from our own staff, but I think at the same time there has been significant expansion of services.

And I think it does beg the question, are we using them in the most effective way and how do you get into the system which I agree with Laura, right now it's you have to be charged as it were. And if you look at the charge rates in Saskatchewan and all the things that go with that, you know, the charge rates are higher, the conviction rates are higher, the percentage of young people who get custody sentences are higher, we're higher in just about every category you want to mention. So I think just to reinforce this for me that it just further adds to the complexity of the challenge we've all got.

**The Co-Chair (Mr. Prebble):** — Could you then maybe as a sort of follow-up to this on the prevention side of things . . . I wonder maybe you could provide us with some advice another day.

I want to open this up to other committee members now but

maybe this is something that staff could take note of, provide us another day with some of your advice about looking at the prevention side of the issue and going back to the presentation that you made around the results of the International Summit on Sexually Exploited Youth in March of 1998. You laid out there a number of life experiences that youth had prior to entering the street sex trade and factors that in effect put them at risk. And I think we would welcome your advice on what prevention initiatives could be taken to reduce these risk factors and maybe if you could speak to that on another occasion that would be really useful.

I'm just conscious of the fact that other members have further questions and I want to turn it back to Don and June.

**Mr. Toth:** — I will make mine fairly simple, straight forward and you can certainly respond another day too because I think the question at the end of the comment will take a bit of thought on your hand.

We've had a fair discussion this morning and I appreciate your comments, but it appears to me that what we've seen in the past few years — newer laws, stiffer penalties — we still have a problem.

Trying to police prostitutional activity is going to cost money and I think if we talk to the police, they would probably say if you gave us more officers we could maybe spend more time trying to deal with the issue, which means costing us money. So I guess I come to this question: the bottom line is, how do we provide an atmosphere so that young people do not chose prostitution as a way of life?

We can provide all the penalties, we can come up with all the laws. Unfortunately unless we find a means of addressing some of the problems, social problems that young people are facing, maybe home environments, we're just beating our heads against the wall. And I am wondering in all the discussions that you've had over the past few years, if you've been able to come up with some ideas or suggestions as to how we address the social environment or the home environment to create an atmosphere where young people just look at prostitution with disdain and say they're not going to be part of it.

**Ms. Bourassa:** — Well, I mean you've, you asked the \$64 million question. All right. What's the answer? And unfortunately I don't have the answer, and unfortunately I don't know anyone who does. You're right — you're right. Tougher penalties, more policing by itself isn't enough.

This is a problem that has many facets. It's multidimensional and it's part of a larger macrocosm of societal problems. And so it is difficult, if not impossible, to envision ameliorating child prostitution without attacking all of those problems on all of their fronts.

How do we have a society or a community where children are not poor? Where families are not dysfunctional? Where people are not abusing each other? I don't know. Those are the kinds of situations that are generating these children for us. I do know that it's an enormous, it's an enormous issue you're tackling and an enormous, enormous range of problems. That doesn't

mean that we can't make some inroads, some headway.

Carol Laprairie, who is a researcher who works for the federal government, did some research on youth crime in, I believe in the Territories. And she was looking at factors, you know, like what made a difference in these kids' lives? What, what caused them to turn around? She was doing this in the context of developing restorative justice and alternative measures initiatives. And what she said she found out was the thing that made the most difference in these children's lives was having one person who cared and stuck with them. How do you legislate that? And how do you mandate that? I don't know.

But it does say what the children are saying to us when we go out and we do consultations with a summit and stuff. They say, don't give up on us. Even though we keep going back to the street, even though despite the fact you placed us somewhere and we ran away, don't give up on us. Stick with us. You know, we have to recognize the inherent wealth that lives in those children. They're wonderful children. I hope you have the opportunity to meet some of them. They're incredible beings, you know.

And we need to, we need to be with them, and we need to support them as they go through this very difficult time. And hopefully, if we can do that for this generation of children, that will make a difference for the next generation of children. But that's not an easy thing to do, and I don't know how you magically make it happen. I'm sorry.

**Mr. Perrins:** — Yes. I think part of it rests or just to follow from that with Peter's observation about prevention and looking at some of the things that work. You know, we've often looked . . . We've talked about a lot of the things that haven't worked, but there are some initiatives that have been very successful here and elsewhere. But at the end of the day, we're really talking about some profound differences in, in the family, the family structure and the environment that the children grow up in. And I mean that is a tall order to address. I think beyond, beyond what we might be able to advise you directly on.

But there are some examples, you know. I think Nutana and some of the things we heard in Saskatoon at that conference. You know, the Nutana Collegiate project is, is a . . . doesn't speak directly to the issue of child prostitution, but it certainly is part of the solution. You know, when you think that 55 of those young people that were on assistance are now working. They . . . you know, they've been through an educational experience and they're working.

For all those things that make life successful for the rest of us and allow us to make choices, I think of the things that you want to ensure that everybody gets exposed to so they can make the right choice but that's a . . . We need to pray a lot before we, I think, before we . . . I think it's a very difficult problem.

**The Co-Chair (Mr. Prebble):** — You had another question?

**Ms. Draude:** — I have just a couple that I don't need any responses for — again, just something that you can take forward. Further to Mr. Prebble's request that you put further thought into what you can do or what we can do as a province

and what your department can do.

You talked about using existing resources and going from 5 million to \$35 million in the last eight or ten years. Is there anything you can identify within existing resources that . . . that you could give as a recommendation to this committee because the committee is working on prevention. And I think that you are probably the best in the province to talk to us about it because you're working on it . . . with it everyday.

And also for background information, I guess the Alberta legislation changed on February 01, '99 and I'm wondering when you're getting information from the Saskatchewan justice system, if you can get some from Alberta to see if there's been a difference in Alberta in the last year, to see if their change in legislation has made a difference.

And then just a couple of quick answer ones. When you talked about our legislation, we talked about a broader range of safe houses and a broader offensive provisions, is it broader than we have now or broader than Alberta's?

**Ms. Bourassa:** — It's broader than Alberta's.

**Ms. Draude:** — Okay. And the last one is, you talked about a duty to respond if there is . . . if someone is aware that a child is being exploited. A duty is one thing but is there anything, is there any penalty if you don't?

**Mr. Perrins:** — Yes, there's a penalty provision in The Child and Family Services Act. I've forgotten the exact . . .

**Mr. Pritchard:** — \$25,000 fine.

**A Member:** — Duty to failure to report . . .

**A Member:** — Failure to report, yes, up to \$25,000 fine.

**Ms. Bourassa:** — Are you asking about the duty to respond when a report is made? Is that what you're saying?

**Ms. Draude:** — When Randy made . . .

**Mr. Pritchard:** — Section 12, there's a duty to report.

**Ms. Draude:** — Has there ever been anybody charged with that?

**Mr. Pritchard:** — I don't know.

**Mr. Perrins:** — I think I'm aware of two. And one conviction for sure. I'm only aware of the two, but we can confirm that.

**Mr. Pritchard:** — What was the fine? Do you know?

**Mr. Perrins:** — It wasn't . . . it was quite small.

**Ms. Draude:** — I'm just wondering, when you're giving this information, is anybody ever given the maximum fine?

**Ms. Bourassa:** — Generally, no. I mean generally the rules with respect to penalties is that the maximum penalty is

reserved for the worse case . . . (inaudible) . . . So you know, I mean you have to have a particularly heinous situation before you'd see the maximum imposed generally.

**Mr. Perrins:** — And often it depends . . . like in the . . . when I was researching this some years ago, in terms of reporting or not reporting, there was a higher obligation on, say, a professional person than there was a neighbour who witnessed something and didn't report it. But there was a much greater onus on a professional person for example.

But even there, there's been very few. It isn't just in Saskatchewan. This is dated a bit, but there were very few prosecutions for failure to notify Social Services or the police.

**Ms. Draude:** — For repeat charges is there . . . when a john or a pimp is charged for a repeat offence, is the penalty ever increased or do they get the same amount?

**Ms. Bourassa:** — Generally if that person — again, I'm speaking about Criminal Code charges — generally, the criminal history of the offender is considered in imposing a sentence. And if an offender has previously been convicted of the same offence, it is likely that the penalty will be higher. The reason I say it's likely is there are situations where it wouldn't be the case. For example, if the first offence was 20 years ago and then, you know, it might not have the same kind of effect but likely it would increase the penalty.

**The Co-Chair (Mr. Prebble):** — Thanks Laura. And thank you June and Don for your questions. Kevin, I'll recognize you.

**Mr. Yates:** — This again is something Laura and Dan . . . it may take some time to put together but I'd like us to have an answer to the question. Is it possible to put in place a data collection system on today forward or on one month forward — wherever we can get it set up — to examine some of the information that we would need to make some recommendations: I think including the number of charges being laid by age and the sentences given to, you know, johns, for offenders that are soliciting for under 18 years of age and so on and so forth; those that are admitted to or recommended to alternate programs like youth that may be sent to alternate programs and how they're being sent there; the number of police interventions or reports that they would receive about prostitution activities for those under the age of 18; anybody that would be apprehended under the FSA, family services Act that's under the age of 12 that may be apprehended for the reasons of involvement in prostitution for any reason; and charges to parents or pimps or others that . . . you know supporting or the involvement of children under the age of 18?

We could set up a system for a 12-month period or something — probably at the police level or prosecutor level — so we can actually get some of this data to examine. And then at some point in the future if you want to see, if there's any change, you examine the same, you know, basic same data.

And that also gives us the ability to look at what role judicial independence plays as a deterrent using the existing rules, existing laws in place. Like are they in fact, you know, laying or finding people guilty of a \$500 fine when the maximum is

\$25,000, and are those the norms, and give us some ability to look at that.

And then the last question I like, and Dan you might have to do some research on this, but what are other countries doing, other jurisdictions not only in Canada but in Europe and some of the other countries around the world doing to deal with this issue? What types of programs are they putting in place? What is successful? Because what may be successful may be a piece from a certain program or a series of pieces from a number of different places like how the Hawaii project is working. There's elements of it that are very successful and we need to have all that information to examine as well.

You know, what you're aware of and what are the experts out there saying in different jurisdictions about this issue?

**Mr. Perrins:** — One of the . . . it's interesting again having been away and coming back because one of the things that often happens, we often think we have to look forward for new solutions. And in many respects — and we were talking about this this morning — often some of the things we used to do previously and no longer do, I think is something that you may find useful to revisit because the system we used to have would have addressed prior to the constitution, some other changes would have addressed much of what we're talking about in terms of the capacity and the greater criminalization of issues over time, the greater use of legislation as an instrument to address the social problem.

All the things that have gone with it have created some of their own — I argue if I go back to '84 — some unintended consequences. But we've had enough experience now that I think it's worthwhile looking to some of that. I was saying we had some colleagues go to Quebec to look at how Quebec's addressing some — your question is well and good, our answer is long by the way. I wanted to observe on that — we had some colleagues go to Quebec to look at what Quebec's doing and they came back with a description of the approach and how innovative it was and when I reviewed it with some of the same colleagues, it was awfully close to what we used to do which I found very disheartening because here it was being held up as a model and it's what we stopped doing when we implemented the Young Offenders Act in '84. But anyway I mention that they're, I think, there are some things we can learn from the past as well that would give us some guidance.

**Mr. Harper:** — Just one question, Mr. Chair. In your experience in dealing with child prostitution here in Saskatchewan, does there appear to be any organized or organization running child prostitutes, whether it be within the city or within the province as a whole?

**Mr. Pritchard:** — Not that I know. I think there's some youth gangs that crop up every now and then and they . . . but it's not very organized at all. It's . . . they come up maybe for one or two months and then they lose interest; they go on to somewhere else, change their name and stuff. But it's usually the leaders of these youth gangs, it's their girlfriends and they put them on the street type of thing. But it's not very well organized . . . (inaudible interjection) . . . no it's not.

**Mr. Harper:** — ... organized in the province or even within the cities.

**Mr. Pritchard:** — No, not that I know of; not that I've heard of anyway.

**The Co-Chair (Mr. Prebble):** — I think we should halt here. It's just after 12:15 and we'd promised you that we'd try to get you away by 12:10, so we're just a few minutes late.

But Dan, I want to thank you, and Randy, thank you, and Laura, thank you, for giving of your time to advise us and to do your very best to answer our questions. And thank you for also taking some questions under advisement. I know you'll respond later when you are able to. So we look forward to your further advice, and we thank you very much for being with us this morning.

Margaret's been good enough to give us a draft of a possible advertisement that we could run in the papers of the province with respect to advertising for a staff position. She's also given us a draft of the ... or actually this is the actual ad I take it, that's being run by the Special Committee on Tobacco Control, advertising for a staff person.

So this is ... I think this draft that's being prepared by Margaret is a very useful starting point. And I'd like to open the discussion to basically a discussion of how we're going to meet our staffing needs. And I'd welcome either comments on what we might add to the proposed advertisement or any other comments that you'd like to make with respect to our staffing arrangements. Kevin.

**Mr. Yates:** — Well I'd like to start by having a little discussion about whether we actually need to go out into the street and hire a research officer, or if some of the people that we've just had present to us, seconding some people like that to this committee for the period. They're out there. They've been doing this research for years. To bring somebody new in, you're starting to redevelop everything and the answering of our questions today and the expertise we heard and ... These are civil servants of the province. Without doubt they could be seconded to this committee and perform that function. And I'm talking about Laura and Randy, because they come from both sort of the perspectives — the legal and the preventative side. They know what's gone on; they know what's there.

I think that, from my perspective, that would be a very good way to approach it. And to bring somebody from the outside in that's simply going to regurgitate the notes and often have to go to these very people to get information, I don't know if it's as effective as having these two people who are there right with us in the committee. And for a period of time seconded to this committee so they're not, you know, accountable back to their deputies or what not, but as an approach to staffing the committee.

I'd sort of be open to anybody's viewpoints on that.

**Ms. Draude:** — I think it's a good idea, but at the same time I know that there are other individuals working in places like Egadz and in P.A. in some of the committee groups there that

may not have the same information as these two individuals, but may have different types of abilities. And I think they would all be open to be able to apply at any time, wouldn't they? I'm not sure of the government, the way it works. But if these people would apply for the position, could they take a leave?

**Mr. Yates:** — Those people would make probably considerably more than the type of salary, you know, we're paying. So they wouldn't apply for the job. I wouldn't see them applying anyway.

**Ms. Draude:** — Then maybe we wouldn't have to put the salary amount in the ad.

**The Co-Chair (Mr. Prebble):** — I think realistically we can, you know, we can second their advice from time to time, but I'm not sure that, given their other responsibilities, that we can second them on a full-time basis. I think what we're looking at here, Kevin, is the hiring of a full-time staff person whose efforts will be supplemented by our ability to draw on public servants like Randy and Laura when we need their expertise.

Now that's just my own perspective but I'm very open to other perspectives and you presented one, Kevin, that's interesting. I mean maybe there is someone within ... I think we'd have to restructure responsibilities within Social Services and Justice if we were to second one of the persons we had this morning. We obviously can't second Dan; he's deputy minister. And Laura and Randy, I think there'd have to be some ... you know, there'd almost have to be replacement staff put in place if we were able to second them to work on this committee on a full-time basis.

**Mr. Harper:** — I wonder if, Mr. Chair, if I could interject here for a second. My own personal thoughts on this is, I think, that we need a research officer, somebody to be a sort of a point person, somebody to do the detailed clarification after each meeting for the next meeting and so on and so forth.

At the same time I think that perhaps that we want to take advantage of the expertise that we've heard here today and perhaps serve them notice that they could be expected to be seconded on a very regular basis, or upon short notice perhaps for simply resources of the committee. But I do think we need to have a research officer hired to sort of be the point person.

**Ms. Draude:** — I guess I also think that the people that we had here today probably are ... they're quite capable or are capable of so much more than preparedness of witnesses and background material and so on that I think that we wouldn't be doing them a lot of value, or we wouldn't be getting the amount of value out of them that we could. We have to have somebody that's ... can gain knowledge from them and present it to us.

**A Member:** — Yes.

**Mr. Toth:** — I guess the comment I would make is exactly how much time is going to be required. Someone's going to look at the position like this and they're basically going to say, okay, the ability to the flexibility to travel with the committee may not be conducive to their lifestyle. Are they going to have ... be hired on a monthly retainer so that they know exactly where they're at. Or

is this just time when the committee is sitting and maybe a day or two in between to prepare or to put a report together finalizing after a meeting. And then just sitting there with idle time for another period of time.

The individuals we had here today, I think they're just a little too high up to expect that they're going to . . . this is becoming more of a secretarial service, if you will. Maybe there are . . . there would be an individual within the Department of Social Services that we could second that would be probably fit the requirements and would . . . that flexibility could be there out of that office rather than an open advertisement.

**The Co-Chair (Mr. Prebble):** — So the question really then is, Kevin, let's continue this.

**Mr. Yates:** — When I was looking at seconding somebody, I was looking at the point of view, I don't think it's going to be a full-time . . . if we're going to do this, and there'll be periods where maybe weeks . . . a week at a time when we're out doing hearings or something. But it may be two, three days a month; four days a month. And to second somebody to do that as well as their job, I think anyone . . . any of them could do it.

And as far as the, some of the administrative work, some of the people who work for them might well do some of the typing and, you know, those types of administrative jobs when I was looking at the secondment issue. Then you're sort of meeting both needs. Because I don't see this being full-time here. And to get a good quality person to take this on is difficult when it's going to be sporadic like that, quite sporadic.

**The Co-Chair (Mr. Prebble):** — Are there any other comments on this, Carolyn?

**Ms. Jones:** — Well I'm wondering if we have, you know, any kind of predetermined agenda? Are we to report by April, is that . . . what is this?

**The Co-Chair (Mr. Prebble):** — No, we have to make a preliminary report to the Assembly in the upcoming session.

**Ms. Jones:** — Okay.

**The Co-Chair (Mr. Prebble):** — So we will need to prepare a written report to the Assembly. But we don't . . . it's not the expectation that we will have to provide our final recommendations when the next session is on.

I think realistically our work will be completed, you know, between the completion of the upcoming session and the beginning of the session that follows that. So we're really looking at a work period that's in the range of, you know, nine months to a year. Now we can determine that. It may be that you don't agree with my suggestion. It's just that — a suggestion. But I think it's not . . . We're going to have a pretty difficult time getting our report completed while the session is on. The hours that we work during the session are just too long to be able to I think realistically complete that task. But I think we are going to find that we probably can complete the task in the fall of 2000.

**Ms. Jones:** — The reason I'm asking is to try to get a grip on what we are kind of arguing about. It seems to me that a research officer is . . . some of the sub-headings may appear to be rather, you know, not glorious in nature, but a research officer is a significant responsibility in terms of analyzing and writing reports. I mean the final result of our work will depend highly on this person's ability to pull it all together.

And I think secondment, while it might be expedient, is not . . . if you have somebody dipping over here and then running back to work to try to carry on their other responsibilities, I think is asking too much, and perhaps not giving our committee the credit it deserves. I think the work of this committee is significant, and it deserves somebody to be able to devote their time to it. It may be that there's downtimes in between, but there's things to do as well.

**The Co-Chair (Mr. Prebble):** — There's a lot of research work to do. I mean if we're serious, for instance, about getting our . . . Obviously staff within the department can begin to answer our questions around what might be done in terms of prevention. You know the questions, Don, that you and I asked around prevention can in part be researched by the department, but in part we could assign some of that work to a research officer.

The questions about what other countries are doing around the world in terms of enforcement or safety of kids, as it pertains to child sexual abuse in the sex trade, you know, that's something that the research officer can spend a good deal of time investigating. So there's a fair bit of preparatory research to be done. I'm just using those as examples.

And a fair bit of advance consultation that the research officer could do with groups that we may wish to have present to, you know, the hearings. Often the officer has to go out and meet with those groups privately and kind of get them ready, if you know what I'm saying, to, you know, to appear before us and do some of the advanced work that's required in that regard. So I think this could be quite productively a full-time position especially in the period from let's say May on.

You know, what I'm more concerned about is whether we'll require a full-time person in the February, March, April period. The reality is, I believe, in March and April we're not going to get a lot of work done on this because we'll be too preoccupied with the work of the legislature itself while we're in session. I think February could potentially be a busy month, but we'll just barely have hired somebody and gotten them up and running. So I think a lot of the work will be, you know, in sort of the May, June period and in the fall.

**Ms. Jones:** — I agree.

**Ms. Woods:** — I'll just make a couple of comments. There are two ways the committee could approach hiring their expert staff person. One is by way of seconding someone from government and that was the approach the Driving Safety Committee took in '94-95, and that individual came from the Department of Highways and he did work full-time with the committee and stayed until the report was completed and presented to the House.



Another alternative is to hire someone from outside and that was the approach that the Environment Committee took and that committee was back in the early '90's, I believe, '92-93, somewhere in there. They actually hired a private consultant who assisted the committee in its deliberations, And in that case, from my understanding because I wasn't involved with that committee, because he had his private consulting business he was able to organize his work so that he was with the committee full-time when the committee was having its public hearings, when it was travelling, when it was deliberating on its report. But then those times when perhaps it wasn't quite as busy, he then had his other business to attend to, and his hours would diminish during that period. So there's different ways a committee can go about doing it.

I think what should be perhaps looked at today is to decide what sort of individual you are looking for. Are there certain qualifications or backgrounds or experience that the committee wishes to have? I think when I first looked at it, I was looking at someone with a social work background. That's not with having done too much research into the area.

But if there are certain qualifications that the committee wants, such as a degree in social work or experience in a particular field, those are the kind of things that are important to set out today. Because in either approach you take, whether you are going to go try find someone within the civil service, or outside, we need to be able to identify what we're looking for so that those people that come and ask and inquire about the position we can say, this is the type of person we're looking for.

But I do think it's also important to note that once the committee starts increasing its workload, the position will be full-time. I think there will be sufficient time and work to keep them occupied because customarily the research person will accompany the committee whenever it does any public hearings. As Peter was suggesting, often they do advance work and will be the contact person for the outside groups to speak to prior to appearing before the committee.

They would also do other tasks as assigned by the committee. If we want to do, for example, some press releases, the research person would often be the one that would be the one preparing that.

**The Co-Chair (Mr. Prebble):** — Thank you, Margaret for those words of advice. Is there anybody who wishes to make a proposal around on what we do? I think we have a . . . maybe what we should do is start . . . I'm going to pick up on the first piece of advice that Margaret gave us and invite and see if we can reach a consensus on what we're looking for in terms of experience in a staff person.

**Mr. Harper:** — Well I'm thinking, Mr. Chair, I would think that we were looking at someone who, as Margaret has indicated, has a social services background or sort of worker background because basically I think that's fundamentally what we're dealing with, is a major social problem. And I think that's the type of training and the type of person that we would like to have as a research person here.

**The Co-Chair (Mr. Prebble):** — Okay, well thanks for that

suggestion, Ron. Any other suggestions in this regard?

**Ms. Jones:** — I'm wondering if the period ended up being, you know . . . perhaps it doesn't have merit. I was thinking about an undergraduate or, you know, a university person who is perhaps going for their Ph.D. or something. I mean there might be a span in there, particularly if the bulk of the work is from May to the fall.

**The Co-Chair (Mr. Prebble):** — I think though by fall I mean September, October, November, and December.

**Ms. Jones:** — Yes, and that's too late.

**The Co-Chair (Mr. Prebble):** — Yes, yes.

**Ms. Jones:** — Yes.

**The Co-Chair (Mr. Prebble):** — Yes. That's, I think, when we're going to get a lot of this work done, you know, in terms of the writing of the report. We should try to knock off a fair number of the public hearings by the end of June.

**Ms. Jones:** — In the summer.

**The Co-Chair (Mr. Prebble):** — If we need to do more in the early fall, we can. But by . . . you know, come mid-October we want to be done the public hearings so that we can rewrite it.

**Ms. Jones:** — It was just a thought, and I just wondered if . . . but it was almost gone before I had it articulated. There's quite a crossover between the social service aspect and the legal aspect of it.

**The Co-Chair (Mr. Prebble):** — Yes, that's right.

**Ms. Jones:** — And I don't . . . It's difficult to sort out, you know, or if there's a dual, a duality in terms of study that might kind of pinpoint the type of person we're looking for.

**The Co-Chair (Mr. Prebble):** — Right.

**Ms. Jones:** — I don't . . .

**The Co-Chair (Mr. Prebble):** — I mean, what I'd like to . . .

**Ms. Jones:** — I have more questions than comments, I guess.

**The Co-Chair (Mr. Prebble):** — Yes. Okay. June.

**Ms. Draude:** — I do wonder if we'd be narrowing it by saying this person would have to have a degree in social services. They may have a background in that or there might be some other background they may have that we would find very beneficial. So I think that we should have, we should say that they have to have some degrees, but maybe we don't have to be that specific.

**The Co-Chair (Mr. Prebble):** — Right.

**Ms. Draude:** — Just the interest and the desire, and I think it's going to be . . . depend a lot on the person and their own enthusiasm when they come, and some of the . . . maybe even

some of the suggestions they may have about what they can, what they can be doing or what we could be doing because we're talking more about something, it's not definable yet so it's pretty hard to define to them what they have to do. So I make . . . just my suggestion is we probably shouldn't narrow ourselves.

**The Co-Chair (Mr. Prebble):** — Don, did you have any comments?

**Mr. Toth:** — Well, actually I've been trying to think of how we go about, how we go about this. The thought that was crossing my mind is someone who's actually had some experience in dealing and working with people on the street — that background might be conducive. But then it also . . . They may also have a preconceived idea of what they prefer to see done versus where the committee might end up being. So it might be a hindrance as well.

I'm still wondering if in the department there isn't someone who is basically working in this area when you . . . the fact that the Department of Justice is bringing forward legislation or has been dealing with legislation. The Department of Social Services for a number of years now has been trying to determine how they deal with child prostitution, and somehow or other I think there's probably people working there that have had and been tackling the issue, that may have a fair bit of knowledge as to individuals or groups who we should be talking to and would maybe be, provide a more positive and give us some more up front approach to how we deal with the question versus just bringing someone new who has no knowledge whatsoever. We're struggling in our own minds as to how we tackle the question. And so we bring someone who has no knowledge and say okay you go over here. Okay, how do I approach that? I guess that's the struggle I'm having in my mind.

**Mr. Yates:** — I'm going to feed in on what Don was saying. And the reason I made a suggestion that we second people is . . . as most of you probably know I understand the processes in the civil service very well. I've been there and worked on these things for a number of years. I have no doubt that if we choose to second people . . . and I see this all the time for all types of projects in government. All types of committees are out there, not just legislative committees. But every single day there's literally hundreds of committees doing policy design work and people were seconded from their regular jobs for periods of time, even months at a time.

But we needed full-time people that we could second, people from either Social Services or Justice to meet that need, including, I believe, those two people that are sitting in the room. I know what they do. I know their jobs. And I know the functions they have. And I agree with Don.

There is some value going outside, but at the same time, most information that you are going to seek is going to, one way or another, come through one of those departments, requesting a lot of that information from other governments and from other jurisdictions and so on and so forth.

And I'm not so bought in to seconding that that's the only way

to do it. Don't get me wrong. But if we want to be effective and in a quality time frame, to make some difference in this four-year sitting and put forth recommendations, I think that there's some real advantage to going to the people in the service who have some experience in these areas.

And I don't think it's as difficult to second people to this committee, or will be difficult as some may think, not being in the system because it happens all the time. People move in and out of jobs in this policy area. And there are some very good people, other than these, as well, in Justice and Social Services.

**The Co-Chair (Mr. Prebble):** — Unfortunately, I'm under some time constraints in terms of needing to be at another meeting at one that isn't in the building.

But could I make the suggestion, first of all, just to try to pull this together a little bit if I might try to do that, that as I listen to the members of our committee, my sense is that first of all we don't want to narrow down too precisely a definition of the experience, the job experience, that we're looking for. I want to deal with the question of secondment separately.

But basically we're looking for somebody who's got expertise in social policy and that could have a social work background, a background with youth, a community development background, experience in working with youth on the street — you know, all of those kinds of things.

A good knowledge of the whole issue of child sexual abuse on the street and experience in that area would obviously be an advantage, plus the other more general background that I've just described. Someone who, if you've got knowledge of prevention strategies, you know, that would be an advantage obviously.

So I think we could state that a number of things are an advantage to getting this job. So the advantages would include a background in social policy, a background in experience around legal issues, a background in working with youth, a background in working with youth on the street, community development background, experience with prevention strategies — all of those kinds of things would be advantageous. And university degrees in those areas would be, you know, advantageous.

Plus all the things that you've put in your job description including the ability to, you know, the candidate has to have I think particularly good skills in terms of both relating to people and good writing skills because we want somebody who is capable of helping us write a report. And so that we keep the job description fairly general, June — along the lines that you were suggesting really — rather than just saying a social work degree.

And that we then . . . then the issue of secondment is a separate one. If it is the wish of members — and we can maybe just test this out in a moment — to explore the possibility of secondment of either one of the officials who came before us today or someone else in the Department of Social Services or Justice who might have some expertise in these areas and be available to us, we could explore that.

And if we find that that option doesn't exist, we could, you know, we could come back to the committee with a recommendation that we advertise externally. My only worry about this is that I don't want to delay the hiring process, you know, too much.

**Ms. Draude:** — Can we do it at the same time? Can a letter be sent to the department or the employees saying we have this advertisement but we'd be willing to, if someone comes forward that is interested . . . can we ask for secondment?

**The Co-Chair (Mr. Prebble):** — Well I think that is separate. I think if we advertise, we should advertise in good faith because we're truly hiring. I think we should explore, June, the issue of a secondment separately from that. And that doesn't need to take long but it'll take 10 days to two weeks to explore. And then if secondment is not an option and it has to be a secondment — this is an all-party committee — I think it has to be a secondment that members, that all of us agree to, you know.

And one of my hesitations initially about the idea of a secondment was that I wasn't sure whether members of, you know, the opposition would feel comfortable with a person seconded from the public service. But if you do, then if you're comfortable with that person then, you know if we're all comfortable with that person, a secondment is an arrangement that would be fine with me, as long as we truly had access to that person whenever we needed their help.

If you are wanting, you know, someone who is totally independent from the public service then the idea of hiring outside, you know, is sort of the better way to go. If you're comfortable with the public servant that we have then, you know, if we're all comfortable with that then a secondment, it seems to me, is an option.

So why don't we explore the option of the possibility of a secondment. In Arlene's absence, maybe Don and June, if one of you could sort of determine which one of you would like to be involved in exploring that process with me, we could liaise together and check out with both departments — both Justice and Social Services — whether there might be a senior staff person who could be made available to us on at least a substantial part-time basis. Anyway I'm just throwing that out as a possibility. What are members' feelings about my suggestions?

**Mr. Toth:** — If I could make a motion just to speed the process up, I would move:

That the committee explore the option of seconding someone from the department and that the chairperson, and the member from Kelvington-Wadena, be requested to formulate the process and come back to the committee with some recommendations.

But I firmly believe that even if we chatted with the ministers involved they may even be able to give us an idea of . . . there's individuals within the department that would certainly we think would work well with your committee.

**Ms. Draude:** — Would this just have to be Social Services?

Maybe Justice?

**The Co-Chair (Mr. Prebble):** — Justice as well. We'll explore . . . let's agree to explore both. So maybe that could just be noted, Margaret, as an addition to the motion, that we'll explore both that option of secondment within both Social Services and Justice.

**Ms. Jones:** — Before we go could I ask a question?

**The Co-Chair (Mr. Prebble):** — Yes, of course.

**Ms. Jones:** — I just wanted to clarify if that means it would . . . a secondment would only be available from those two departments, or if when you try to second from within, do you make it available to the public service in general. What is the . . .

**Mr. Yates:** — We'll have to do that on an issue; basically in general when we do secondments across for policies and committees and it's . . . (inaudible) . . . in that department, within the department where you're looking for an expertise as well. So you are getting both the capability but some knowledge and expertise on the issue. Dave Abbey did the one I believe on Highways.

**The Co-Chair (Mr. Prebble):** — So Don has put forward a motion, and is there a seconder for that motion? Any discussion on the motion, further discussion before we vote on it? All those who are agreed. It's carried unanimously.

And is there any other business before we adjourn?

**Mr. Harper:** — Are we setting a date for our next meeting?

**The Co-Chair (Mr. Prebble):** — We should set a date for another meeting. I would like to suggest that we not meet again until early February at which time our Co-Chair will have returned. Do members have suggestions about a day in early February that would be suitable.

**Mr. Toth:** — I would suggest we pick a date as close as possible to the return of the Co-Chair for the simple reason that I think by that time we'd want to hear back from the committee exploring the idea of secondment and knowing whether or not we have to go outside. And we certainly want to get at it sooner rather than later.

**The Co-Chair (Mr. Prebble):** — What about Thursday or Friday, the 4th or 5th of February? At the very end of January, she is back by then.

How would Thursday, February 3 be for each of you? Kevin, Don, June, is that okay for you? And Carolyn that's okay for you?

**Ms. Jones:** — As far as I know, Peter, I didn't bring a calendar but I don't have many things marked into it in February.

**The Co-Chair (Mr. Prebble):** — Shall we say . . . Do we want to meet at 9:30 again? Is that a time that works for each of you? So let's say 9:30 then on Thursday, February 3.

Forgive me then, I'm going to slip away very quickly. I've got a meeting with the deputy minister in the Environment and I'm supposed to be there at 1. So I'm going to, I'm going to go back tonight, yes, yes.

**Mr. Yates:** — I move a motion.

**The Co-Chair (Mr. Prebble):** — Oh, thank you, Kevin. June, I'll call you later this week so that we can get this launched.

The committee adjourned at 1 p.m.