

A Brief prepared for the Standing
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Human Trafficking

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Human Trafficking in Canada

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Introduction and Opening Statement

Gender equality and sex work cannot co-exist. Human sex trafficking flourishes in a culture where patriarchy lives and gender equality is absent. Trafficking for sex is rooted in misogyny, racism and a belief that there is a class of people who are 'less than' and therefore available for purchase. Sex trafficking is inherently violent. Buying another human being in Canada is possible due to inequities in power. The human trafficking triangle includes: a victim (the supply) who is vulnerable and powerless, most often female in Canada; a pimp or trafficker (the distributor) who has exploited the victim's vulnerabilities and a purchaser (the demand) with disposable income, almost always male with the core beliefs just described. To end human sex trafficking in Canada, each part of the triangle needs to be addressed along with the underlying root causes.

Who We Are

Defend Dignity is a national organization that exists to end all forms of sexual exploitation in Canada. This includes prostitution, escorting, massage parlours, pornography and human trafficking. Our work is survivor informed. We began in 2010. Our focus is on the following:

1. Awareness and Education
 - Youth worker training video, "[Not in My Backyard](#)"
 - Youth curriculum, "[Exposing Exploitation](#)"
 - Day of learning and sharing for Indigenous women and girls led by Indigenous survivor, "Strengthening Our Sisters"
 - Events and conferences
 - Billboard and social media campaigns on buying sex; including the Buying Sex is Not a Sport campaign at the Pan Am Games in Ontario in 2016 and the Buying Sex is a Crime campaign currently on www.buyingsexisacrime.ca
 - Hope Lives Here photo exhibit of five Canadian survivors of sexual exploitation
2. Advocating for law and policy reform with all levels of government, companies and organizations which allow for sexual exploitation.
3. Aid for survivors and service providers
 - Survivor Support Fund distributed twice a year to successful applicants distributed through their supporting service provider. Defend Dignity has helped

39 survivors from across Canada through 20 different service providers since 2015.

- First Response Bags are bags of items of basic and immediate needs for victims of human trafficking. Items are collected by churches and then distributed to police, victim services and other service providers to distribute to victims. This program operates in the Halton region of Ontario and is looking to expand across Canada.

Recommendations

1. **Uphold the current prostitution legislation, Protection of Communities and Exploited Persons Act (PCEPA), as it includes the criminalization of purchasers of sex.** Buyers must be held accountable for their role in the sex trafficking of mostly girls and women. Without demand, there would be no supply. This law needs to be upheld in every province and city. There must be training provided for police, provincial crown attorneys and judges on the legislation.

It has been documented that purchasers of sex, aka 'johns', recognize criminal charges for purchasing as a deterrent to buying sex. The following quote comes from research findings from the online discussion boards of buyers in the state of Illinois.

*"For some johns, policies that target johns or increased law enforcement presence in areas where the commercial sex industry operates may simply end their "cruise" for sex for an evening. For others, it may end their mongering permanently. The majority of posts on the boards about demand suppression efforts show that such efforts have created energetic discussions among johns about whether or not to continue buying sex, some of whom state that they will not take the risk of buying anymore."*¹

Defend Dignity supports these findings as well as the outcomes in Sweden since the ratification of the law there which criminalizes the purchase of sex.

"Since the introduction of the ban on the purchase of sexual services, street prostitution in Sweden has been halved. This reduction may be considered to be a direct result of the criminalisation of sex purchases."
(Sweden)²

¹ "Our Great Hobby" An Analysis of online networks for buyers of sex (Janson, 2013) in Illinois

² (Sweden) <http://www.government.se/content/1/c6/14/92/31/96b1e019.pdf>

Buying sex from girls and women is violence against women, perpetuates gender inequality and is very often an act of racism since Indigenous women and girls are overrepresented among trafficking victims in Canada. More than half of all trafficked individuals are Indigenous while only 4% of Canada's population is Indigenous. Buying sex must be criminalized in order to reduce the numbers of individuals trafficked in Canada.

Any consideration of decriminalizing or legalizing prostitution would serve to increase sex trafficking in Canada. When we look to The Netherlands or Germany, where prostitution is legalized, we discover that "scores of human trafficking trials in the Dutch courts have exposed the horrific truth – that many of the smiling window girls have been brought from Eastern Europe by ruthless pimps who think nothing of handing out a beating, a knifing or rape."³

Once the proud owner of the largest brothel in Germany, Jurgen Rudloff has recently been charged with illegally obtaining funds from investors and procuring women from trafficking gangs.⁴ Legalized prostitution would only increase human trafficking.

PCEPA is also a necessary tool in the toolbelts of police as they combat human trafficking. Montreal police Service Lieutenant Detective Dominic Monchamp said:

"For the first time in 25 years of policing, I am seeing a major change in responding to prostitution and sexual exploitation. We are now focused on arresting sex purchasers and supporting victims. I am fully supportive of decriminalizing the victims, but am not supportive of decriminalizing sex purchasing. The overturning of PCEPA would remove a valuable tool we need to help protect our communities and exploited persons."

2. **Prostitution Offender Programs (aka john schools) should be mandatory in every major city in Canada for their role in educating and reforming buyers of sex.** Along with the minimum fines PCEPA imposes on purchasers of sex, participation in Prostitution Offender Programs should be continued and expanded to cities without such programs, with the funds collected going directly to local exit services. If we hope to change the underlying attitudes of misogyny, racism and classism which are pervasive in sex buyers, these schools are essential. Kelowna/Vernon, BC; Edmonton, AB; Saskatoon, SK and Winnipeg, MB all have highly successful Prostitution Offender Programs.
3. **Synchronize the definition of Human Trafficking in Canadian legislation to agree with the definition of human trafficking found in the UN Palermo Protocol, as approved by**

³ <http://www.dailymail.co.uk/news/article-5376077/Amsterdam-call-time-myth-happy-hooker.html>

⁴ <http://www.dw.com/en/german-brothel-owner-in-court-for-trafficking-fraud/a-43099052>

Canada in 2002. ⁵ In particular the section underlined below from the Protocol should be included in human trafficking legislation in Canada. The inclusion of “the abuse of power of a position of vulnerability” will address the many power imbalances and inequalities which occur in sexual exploitation.

"Trafficking in persons" shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs... The consent of a victim of trafficking in persons to the intended exploitation set forth [above] shall be irrelevant where any of the means set forth [above] have been used.⁶

4. **Create a coordinated data collection system which is required for use by police, service providers and NGO's.** The lack of any commonality in definitions and reporting allows for this crime to thrive, traffickers to go undetected and victims to suffer. There should be a national centre which holds all data from police and service providers. Since this is such an under- reported, under- prosecuted crime, the inclusion of data from service providers is essential, providing a fuller and more accurate picture of trafficking in Canada.
5. **Purge past prostitution records of trafficked victims, along with non-violent crimes as a result of being trafficked.** Criminal records are a huge barrier in re-entering society, finding employment and re-establishing her life. Defend Dignity knows of a victim not allowed to complete her education because she was unable to fulfill the practicum part of her program, due to her past criminal record related to her trafficking experience. This young mother had worked hard to restart her life after being trafficked, but was denied the chance to finish her education and get good employment. Barriers such as these must be removed.
6. **Change the criminal code to focus on the actions of the trafficker and not rely solely on the victim's testimony.** Due to the trauma experienced when trafficked, a victim is only re-traumatized when a conviction rests on her ability to testify against her trafficker. Included in the changes to the criminal code, there should be provision for

⁵ https://treaties.un.org/pages/viewdetails.aspx?src=ind&mtdsg_no=xviii-12-a&chapter=18&lang=en

⁶

https://en.wikipedia.org/wiki/Protocol_to_Prevent,_Suppress_and_Punish_Trafficking_in_Persons,_especially_Women_and_Children

the trafficker's profits to be returned to the victim. Tracia's Trust, Manitoba's Sexual Exploitation Strategy, has this provision in place and provides a good example to the rest of Canada.⁷

- 7. Ensure that police, crown attorneys and judges are well trained on human trafficking realities and the legislation.** In a Public Safety commissioned 2014 evaluation of human trafficking among Aboriginal women and girls conducted by Yvonne Boyer and Peggy Kampouris, it was recognized that police, crown attorneys and judges have limited understanding of human trafficking.

The evaluation regarding training of police concluded:

Police participants agreed that formal education on human trafficking and the specialized approach to victims and identifying offenders should be mandatory for all police services. Front-line patrol officers are well-placed to interact with sex trade workers, and with more education on what to look for, could provide earlier identification of trafficking cases.⁸

The evaluation related to crown prosecutors and judges included this quote from a police participant who was interviewed in the evaluation:

"About 90% of judges and Crowns lack a clear understanding of human trafficking charges. There is complacency among some judges. There is a belief that girls volunteer to be prostitutes, as a source of income." Another detective noted: "Judges need more education. For example, judges don't understand that the majority of victims return to the sex trade, even after they've gone to court. Judges don't see why they would go back to the trade. It's the only thing these women know to survive. We need to enlighten judges who assume that the women and girls won't return to the sex trade and, when they do, judges often decide that it reduces the victims' credibility. It should not reduce their credibility in the Court's eyes."

Adequate training of all police, crown attorneys and judges must be made possible.

- 8. Create a new, revised National Action Plan on Human Trafficking.** The plan should include increased funding for victim services, training as mentioned above and a public awareness campaign which includes a focus on demand.

⁷ <http://news.gov.mb.ca/news/index.html?archive=&item=13953>

⁸ https://www.researchgate.net/publication/282150614_PS-SP-1183115-1-Report_-_FINAL_Dissemination_-_Trafficking_of_Aboriginal_Women_and_Girls_-_Boyer_Kampouris_-_2014_-_English_-_Electronic-1

9. **Look to survivors for insights and input.** It is of utmost importance to listen to the voices of people who have been trafficked and survived. Any recommendations from the Justice committee on human trafficking must be informed by survivor voices.

Defend Dignity provides funds (we are a donor- based organization) for survivors of sexual exploitation and trafficking through our Survivor Support Fund twice a year.

The following data has been collected from the 39 survivors of human trafficking that Defend Dignity has helped since the start of the Survivor Support Fund in 2015. The survivors come from all across Canada; from large and small cities; through a wide range of service providers. We include our data as a sample of the realities of trafficked victims in Canada.

- All victims were female
- 20 self-identified that they were trafficked
- 7 were Indigenous
- All 39 were domestically trafficked/exploited
- 7 were exploited by family members
- 22 were on social assistance
- 20 were under the age of 30 and 19 were over the age of 30
- Top reasons for funds in descending order: education; food & shelter; travel back to home from where they currently reside which was where their trafficker moved them; debt repayment.

The following are summaries of just a few of the stories we have received in the last few years as part of the application process. Names have been changed to protect their identities.

1. Jane was born in a small town into a blended family. Her mother was hospitalized for a length of time when she was a newborn necessitating she be put into government care. She was in and out of foster care until she was eventually placed in a group home at the age of 7 or 8 in a larger center, but returned home short term. Her home was filled with violence and many family members were gang members who eventually trafficked her across Canada as a young girl.

Jane has now been out of the sex trade for 27 years, but still struggles to function and provide for herself.

2. Kate had a simple request for funds through her service provider. She needed a new bed because the one she had was where she was forced to service men and now that she was no longer being trafficked this bed only fed her post traumatic stress.

She was trafficked by a family member as a young teen for many years, convinced that she had no value or worth beyond selling sex.

3. Janet is 17 years of age. She was trafficked as a 14 year old by a number of men. When she was finally rescued by the police her parents wanted nothing to do with her, forcing her to survive as a young teen on her own. Her minimum wage job does not cover her meager rent and other basic necessities. She continues to fight drug addiction which was forced on her by her trafficker.

Human sex trafficking victims share some common realities:

- Abuse and violence are commonplace, from both the trafficker and the buyer.
- A child in government care is at risk of trafficking.
- The average age of first time exploitation is 13.5 years.
- There is a huge lack of services and funds accessible to victims of human trafficking.

10. **Increase funding and supports for human trafficking survivors**, recognizing that there are multiple sectors and services involved in the healing and restoration of one victim.

Conclusion

Defend Dignity asks that you give serious consideration to all the recommendations listed above.

As you consider the issue of human trafficking in Canada, Defend Dignity implores you to consider the voices of countless survivors across our great country. Their stories, their truth must be considered as you set laws and policies which will have impact on them, on all Canadians and particularly on Canadian children. Literally, lives are in your hands.

“...decriminalizing pimps and johns has been shown to massively inflate the market. With an inflated market you have more abusers and, as an obvious consequence, more abuse...”

“Sex for money is by its very nature an act of coercion. If you have to pay someone, it means they don’t want to have sex with you.” Rachel Moran, survivor, [Paid For: My Journey Through Prostitution](#)

Defend Dignity⁹ is an initiative of The Christian and Missionary Alliance in Canada¹⁰. The Christian and Missionary Alliance has 440 churches from coast to coast to coast in Canada with a combined total of members and adherents of 129,452 people.

⁹ www.defenddignity.ca

¹⁰ www.cmacan.org