

Human Trafficking In Canada

a brief prepared for the Standing Committee on Justice and Human Rights

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“There is no crueller tyranny than that which is perpetuated under the shield of law and in the name of justice.”

– Charles de Montesquieu

Introduction

The right to equal representation before the law or gender equality and the right to the pursuit of various, even harmful careers, such as sex work, cannot coexist. The act of trafficking for sex results from a foundation of misogyny, racism, sexism, and classism. Human trafficking involves the act of recruitment, transport, transfer, harbouring, or receipt of persons by means of threat or use of force, coercion, abduction, fraud, deception, abuse of power or vulnerability, or giving payments or benefits for the purpose of obtaining some type of commercial labour, such as prostitution of others, sexual exploitation, forced labour, slavery or similar practices, removal of organs, or other types of exploitation. Subsequently, sexual exploitation, the largest form of human trafficking in Canada, covers the exchange of sex or sexual acts for drugs, food, shelter, protection, other basics of life and/or money. In regard to the sexual exploitation of women, the victim, trafficker, and buyer must be noticed to discover the root causes of such an industry and move further to the triumph over this form of slavery in Canada.

BridgeNorth

BridgeNorth, a survivor founded, survivor led, charitable organization, seeking to see the end of sexual exploitation in Canada. Through meeting physical, mental, emotional, and spiritual needs, BridgeNorth pursues its mission to restore the inherent dignity and value of sexually exploited women and girls. BridgeNorth provides direct service and mentorship, public education and awareness, and advocacy for women, girls, and families affected by the sex industry. Through a proposal based on the experiences of a variety of survivors and thorough research, BridgeNorth encourages the Standing Committee on Justice and Human Rights to accept the reality of human trafficking and sexual exploitation in Canada.

PCEPA

The Protection of Communities and Exploited Persons Act (PCEPA) removes the stigma and marginalization assumed by women and girls victimized by traffickers by acknowledging that they remain victims of a crime, not criminals or nuisances. However, there is a lack of a common, national approach. Because of the inconsistency across Canada, BridgeNorth finds that protecting vulnerable girls and women has become challenging, as traffickers transport participants and clients of BridgeNorth to other provinces, where the rules are not as strict or not enforced at all.

Because of a delay and inconsistent application of this law, a study now may be too soon to see concrete effects of PCEPA. However, BridgeNorth already recognizes that PCEPA allows

victims to realize their victimization and exploitation; it relieves them of the guilt and shame imposed on them. BridgeNorth finds that, with PCEPA in place, trafficked women and girls can be identified as victims or survivors, as the language and the law support the truth that they are being exploited, victimized and trafficked. BridgeNorth wishes to see PCEPA strengthened and enacted to its full capability across Canada.

The best examples of the benefits of PCEPA is of countries that accept the Nordic model. These countries include Sweden (1999), South Korea (2004), Iceland (2008), Norway (2009), Canada (2014), Northern Ireland (2015), France (2016), Republic of Ireland (2017), and variations in Finland; Italy, Israel, and Luxembourg are considering this method. The Nordic Model includes: a national awareness campaign to educate the public that the purchase of sexual services is harmful to women and vulnerable populations, support programs for those trying to exit prostitution, and the explicit criminalization of the purchase of sexual services. This method has proven successful. For an example, in Sweden, street prostitution dropped 30-50%, the total number dropped from 2500 to 1500 in 3 years, and a large majority of Sweden's populations support their laws. Likewise, countries that have legalized buyers, the Netherlands, Germany, Austria, and New Zealand, watch as human trafficking, child prostitution, and sex tourism explode, and organized crime and crime syndicates increase dramatically (Nancy Brown).

If Canada adheres to the plans from 2014, sexual exploitation will become the quickest declining crime, instead of the fastest growing crime. Like Sweden, Canada's laws will protect the victimized. The current legal landscape, if improved by national cooperation, could reveal positive futures for trafficked people. BridgeNorth knows that wherever prostitution is sanctioned, accepted, or allowed, especially where it is commercialized and institutionalized, human trafficking flourishes. Maintaining and strengthening PCEPA will prove an effective step towards a Canada free of this form of slavery.

PCEPA was instated to acknowledge the move away from treating prostitution as a "nuisance" to a form of sexual exploitation that disproportionately and negatively affects women and girls. According to the Criminal Code of Canada, "Everyone has the right to **life, liberty, and security** of the person and the right not to be deprived thereof except in accordance with the principles of fundamental justice." Human trafficking and sexual exploitation deprive the victims of their right to life, a life they choose, a life they can control, a life they live. It suppresses their liberty to go, live, and love as they please; they have no liberty. It also removes any security of person by treating prostituted persons as commodities under the control of a superior command. In fact, the right of security includes the right to the privacy and health of body. As explained, the victims of sexual exploitation, in the realm of human trafficking, find themselves deprived of their basic rights to life, liberty, and security despite any principle of fundamental justice. BridgeNorth sees no principle of fundamental justice that would validate the depravity of these rights, in particular not the right of another to purchase sexual services. Therefore, it remains the government's responsibility, according to the Canadian Charter of Rights and Freedoms, to protect the trafficked person's right to life, liberty, and security of person, of which they are deprived.

Research

Research and the collection of facts play an essential role in education and progress. BridgeNorth finds that those who wish to encourage and serve victims of human trafficking, who wish to initiate progress and innovation, face the barrier of ignorance, resorting to foundations of personal and empirical evidence. The lack of awareness and education from the lack of data sufficient for educating youth, first responders, judges, and the general public creates the illusion that this is not an existent problem. The lack of data, especially on a national scale, enables the realities of this crime in Canada to remain hidden from the general public, leaving society ignorant and unprepared. As a result, sex trafficking and exploitation has the potential of being the fastest growing crime in Canada. In order to surpass these stumbling blocks, BridgeNorth advises the government to conduct studies, collect data, and make data available to the public to more effectively serve the victims of human trafficking and sexual exploitation and partner with those who seek to serve these victims.

Public Education and Awareness

Education follows research. In the words of Aristotle, “The ultimate value of life depends upon awareness and the power of contemplation rather than upon mere survival.” In other words, how must people prepare to resist for what they do not think is relevant? How would someone realize the relevance of an issue, if they were not aware of it? Finally, how can they become aware without education based on research? Therefore, research, education, and awareness prove vital to an efficient fight against crime in Canada.

As BridgeNorth interacts with medical professionals, academic officials and police and legal officers, education proves necessary to move forward more effectively. Medical professionals interacting with sexual exploitation must be educated in the dialogue, methods of communication, and signs of sexual exploitation to more effectively meet the victim’s needs. Academic officials must participate in mandatory education on encountering and preventing human trafficking. It then follows that these educated academic offices must spread awareness among the young people under their tutelage to prevent further abuse and to offer services. Police and legal officers must receive education to more effectively behave, while interacting with those affected by human trafficking. BridgeNorth finds that police are under-resourced and inadequately educated to combat human trafficking and sexual exploitation, as no common approach to confront this victimization exists. The courts and those that work within that system must receive education regarding human trafficking. There is often misunderstanding of the behaviour of the victims: the trauma-bond that exists between the trafficker and the victim, the dissociative behaviour that can occur, the reality that the victims are often coerced to traffic others. However, these are some of the realities of trafficked people’s lives. Mandatory training for judges and crowns would make it possible for the victims of human trafficking to receive trials that are more fair and true to their situations allowing the rights and health of the victims to be respected most effectively. BridgeNorth is being called as subject matter experts to advise those that work within the court system of the realities of human trafficking, allowing the trafficked persons to receive the help that

they need and the understanding of their situations. In these cases, true justice and rehabilitation is more probable. Overall, these fields lack essentials in education.

First responders, those previously mentioned, will benefit from education on the warning signs of human trafficking, the realities of sex work, and the root causes of sexual exploitation. This will quicken the process of escaping, healing, and rehabilitation. BridgeNorth sees changes in lifestyle, including distancing from family, sudden access to more money, and unexcused absences from school or work, as signs that might suggest sexual exploitation. Behaviours of fear, anxiety, depression, or submission can point to interactions with a trafficker. Often, victims must recite responses that their pimp scripts for them. During a casual conversation, lack of eye contact, lack of memory of recent events, and numerous inconsistencies in the conversation pose huge red flags of exterior control. An appearance of malnourishment, lack of health care, signs of illicit substance use, and tattoos or brandings of a name, symbol, or barcode represent key warning signs that BridgeNorth understands. Lack of identification, lack of personal possessions, and multiple cellphones in possession also suggests human trafficking. BridgeNorth recognizes that victims of exploitation often lack knowledge of location of place of residence. Poor work conditions, including little pay, long and unusual hours, and large debt, also suggest human trafficking. The importance of excellent and complete research and education is paramount if there is to be hope for prevention and elimination of human trafficking in Canada.

While the data is not nearly comprehensive enough, there have been some studies done to begin to understand the problem of human trafficking. To start, the majority of prostituted persons enter prostitution between the ages of 14 and 20, with an average entry age of 14 to 16. 89-98% of prostituted persons enter prostitution through luring, tricking, or trafficking, with no choice to remain or escape (Family Action). In fact, 92% of prostituted persons would leave prostitution, if given the choice (Nancy Brown). Marginalized women, especially aboriginals and those who would identify as part of the LGBTQ+ community, often experience more violence due to their particular vulnerability. In Canada, the average trafficker exploits \$280,000 per year per victim, with an average of 4 or 5 girls under his control (Family Action). The sexually exploited, often related to or familiar with their traffickers, experience some form of force, fraud, or coercion, resulting in their involvement in the sex industry. Some enter for a better life, some enter to pay of a debt, and many enter entirely, unknowingly into an exploitative relationship with a "loving boyfriend." Many, who experience victimization, remain unaware of their own victimization and individual rights.

Canada Family Action comments on the root causes of sexual exploitation: "Trafficking of girls and women is driven by the demand to buy sex. The Internet is fuelling this demand through pornography. Pornography creates sexual appetite, which causes a dramatic demand for sexual services. Result? The supply has to increase. Where does this supply come from? Local girls and women are now being targeted here in Canada to satisfy the rapidly growing demand for paid sex. Sex recruiters even stand outside high schools and in malls!"

Canada Family action understands the importance of criminalizing the buyer and lowering the demand. John schools represents one key tool to eliminating demand for sex. These schools often focus on: anger management, demonstrating how prostitution can increase human trafficking, discussion of healthy relationships, and coping with sexual addiction. For an example, Peter

Qualliotine's Men's Accountability Program, as well as 60 separate schools across the states, has seen more buyers accept the responsibility of their actions, experience positive changes in attitude towards prostituted persons, and reverse their beliefs that purchasing sexual services is acceptable. Such education reduces the demand of sexual services, which further protects and rescues exploited persons. Through actions of prevention and education such as these, the modern myth that sexual exploitation, in some situations, might be normal or acceptable quickly dissolves.

Services and Accommodations

BridgeNorth interacts with many victims of human trafficking who develop complex needs from battles, including sexual abuse, neglect, addictions, and other trauma-induced issues. A lack of services efficient in addressing these complexities causes victims to go without fundamental services, or travel, and pay more than they can, to receive them. In general, Canada lacks adequate services for women and girls as they exit the sex industry. A national hotline that offers immediate help to girls is a necessity for their exit to be successful. For all intents and purposes, there is no adequate, safe first-stage housing available, at present, leaving the victims of human trafficking with many unmet needs. Transitional housing and shelter options fail to address first-stage needs. BridgeNorth has learned, as studies have shown, that peer survivors prove to be the most effective in caring for victims. Therefore, there is a need for greater investment in organizations that give experiential women and survivors of human trafficking an opportunity to mentor.

The discouragement and ultimate downfall of sexual exploitation, the victim's greatest need and hope, will only occur with the elimination of the demand for paid sexual services. With no demand, sexual exploitation in the realm of human trafficking would not need to exist. The only method effective in reducing demand is a common national approach criminalizing traffickers and buyers and rehabilitating prostituted persons. This approach must include effective intervention methods such as john schools, community education programs, and the Nordic Method (National Institute of Justice). The delusions that allows for the normality of paid access to women's bodies originates in lack of education as a society. John schools make a good step towards a more informed public. However, BridgeNorth has noted that public schools remain unaware of the dangers that their students are exposed to. Major steps in research, education, and services to provide information and security must be taken to protect Canadians.

The Dangers of Third Parties

Some view the necessity of a third party to offer services for the health and safety of prostituted persons. Throughout experience, BridgeNorth realizes that there is little to no evidence to support this; in fact, empirical evidence would suggest otherwise. Municipally licensed facilities are a form of third party and have been endorsed by the government in the attempt to provide for a safer environment or for greater influence over the sex industry. This approach has failed, as BridgeNorth knows and sees that these licensed facilities are simply a front for brothels,

and human trafficking is prolific within them. These are not locations where women and girls are kept safer, in fact the violence and degradation that happens under the guise of a licensed facility is astounding. Racism is rampant, misogyny is accepted, and they have simply become locations for traffickers to hide their victims leaving them free to lure more victims.

Empirical evidence also points to another name for third party: pimps or traffickers. What BridgeNorth sees is that third parties are, by nature, exploitative. The age of the girls that are being lured in the sex industry is lowering at an alarming rate. These girls are involved in the sex industry, by coercion or circumstance and are always under the being forced to do what their traffickers expects of them, while they depend of them for everything. The older girls and women in the care of BridgeNorth, even those who are in the sex industry by choice, do not need or desire a third party to split the bills with; they wish to work independently.

Conclusion

Canada must take steps to initiate progress and protection in regard to sex work by: protecting the rights and well-being of minorities, such as aboriginals, LGBTQ+, and other vulnerable minorities, travelling the farthest to abolish sexual exploitation by accepting the values of PCEPA, and beginning an effective recording system for research and further education. Sexual exploitation must not be tolerated, as its foundation remains established upon misogyny, racism, sexism, and classism. The global community fails to take full advantage of the opportunity to create a safer community where the victim's rights and well-being take utmost importance, but Canada has the opportunity to front the progress to safer countries and a safer world.

Finally, who better to ask for advice and how to accommodate, then those who seek accommodation? Many survivors stand up with their stories and advice available to the government, but their gift remains unappreciated. BridgeNorth watches as Canada denies victims of human trafficking of their voices, although they contain the most valuable advice and testimony. These voices must be listened to for the quickest and most efficient progress as a country.

Recommendations

- Give victims and survivors of human trafficking and sexual exploitation a voice
- Fully implement PCEPA across the country.
- Spread public education and awareness of the issue of sexual exploitation based on new research to effectively protect and aid victims of this crim.
- Criminalize traffickers, buyers, and third parties.
- Invest in opportunities of peer mentoring by survivors of human trafficking.

“Injustice anywhere is a threat to justice everywhere.”

– Martin Luther King Jr.

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