

Major Research Paper

Canadian Human Trafficking: Assessing the Government's 2019 National
Strategy for Enforcement, Prevention, and Supporting Survivors.



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March 17th, 2021

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Abstract:

In 2018, the Canadian Federal Government announced the *National Strategy to Combat Human Trafficking 2019-2024*. The implementation of this strategy would include an investment of \$75 million over 6 years towards addressing the issue of human trafficking in Canada. Of those funds, \$14.51 million were earmarked for the establishment of a national hotline which could refer survivors to services, while the rest would be used to fill service gaps and enhance existing programs. The goal of this paper is to examine what impact, if any, this policy and the implementation of the hotline has had or can be expected to have on the state of human trafficking in Canada. To that end, an original study was conducted interviewing 8 expert-practitioners working either in the fields of education and advocacy or as frontline service providers helping to support survivors. Having gathered the impressions of these expert-practitioners, this MRP aims to provide some evidence that could be used to shape future policy priorities, given the consistent dearth of federal data on human trafficking in Canada.

The results of this research show that expert-practitioners in Canada largely agree on what priorities the government should pursue in attempting to address the issue and share skepticism about the importance of the funding increase and implementation of the national hotline. While some respondents felt more strongly than others, they almost universally criticized the national strategy for failing to take on a survivor-centred approach, or one that would work more broadly to redresses the vulnerabilities which support human trafficking. Their responses also revealed a pervasive lack of awareness regarding the hotline and a disconnect from the federal government and its efforts. Finally, the study concluded that a long-term solution to the problem of human trafficking will require Canadians to address the role of sex work in society.

Introduction:

In his 2004 forward to the United Nations Convention Against Transnational Organised Crime and the Protocols Thereto, then UN Secretary-General Kofi Annan described human trafficking as “one of the most egregious violations of human rights” in existence.¹ Survivors of this crime are coerced into selling their labour or bodies for the profit of others. The term “human trafficking” itself is somewhat ambiguous, and was found to be largely misunderstood by 73% of the Canadian public according to a 2020 Maru/Blue survey conducted in partnership with Centennial College.² The term seems to imply that its defining characteristic over other forms of abuse is the transport of humans. Human trafficking should instead be more simply thought of as modern-day slavery under another name, a definition which is in-line with those used by the UN, Public Safety Canada, and the U.S. State Department.³ As well as any physical harm they might endure, this practice can leave those who survive it psychologically wounded, requiring extensive support and time to regain their autonomy and recover as functioning members of society.⁴

¹ “United Nations Convention Against Transnational Organised Crime and the Protocols Thereto,” *United Nations Office on Drugs and Crime* (2004): https://www.unodc.org/documents/middleeastandnorthafrica/organised-crime/UNITED_NATIONS_CONVENTION_AGAINST_TRANSNATIONAL_ORGANIZED_CRIME_AND_THE_PROTOCOLS_THERETO.pdf

² “Canadians Unaware of Warning Signs of Sex Trafficking: New Survey,” Cision (2020): <https://www.newswire.ca/news-releases/canadians-unaware-of-warning-signs-of-sex-trafficking-new-survey-865355784.html>

³ “Human Trafficking,” The United Nations, accessed February 02, 2021, <https://www.unodc.org/unodc/en/human-trafficking/what-is-human-trafficking.html> ; “National Action Plan to Combat Human Trafficking,” Public Safety Canada, January 31, 2018, <https://www.publicsafety.gc.ca/cnt/rsrscs/pblctns/ntnl-ctn-pln-cmbt/index-en.aspx#toc-01.1> ; “Trafficking in Persons Report 20th Edition,” *United States Department of State Office to Monitor and Combat Trafficking in Persons*, (2020): p. 3, <https://www.state.gov/wp-content/uploads/2020/06/2020-TIP-Report-Complete-062420-FINAL.pdf>

⁴ Roderik Viergever at al. “The recovery experience of people who were sex trafficked: the thwarted journey towards goal pursuit,” *BMC International Health and Human Rights* 19, no. 3 (2019): <https://bmcinthealthhumrights.biomedcentral.com/articles/10.1186/s12914-019-0185-7>

Outside of the occasional news stories of large numbers of trafficked persons being discovered as the result of a raid by law enforcement, human trafficking features only rarely into Canadian public discourse. Public perceptions of this crime, how it is perpetrated, and who it targets have been warped by media and popular culture.⁵ Trafficking is not exclusively a foreign problem which affects primarily middle-income countries and destinations for sex-tourism. Nor is human trafficking in Canada primarily a phenomenon of foreign nationals being smuggled into the country and then forced to work to pay off hidden travel debts incurred towards the criminal organisations which brought them. While these certainly are important elements of the global problem, human trafficking in Canada occurs largely by and between Canadians. In fact, some sources estimate that 90% of sex trafficking survivors in the country were born in Canada.⁶

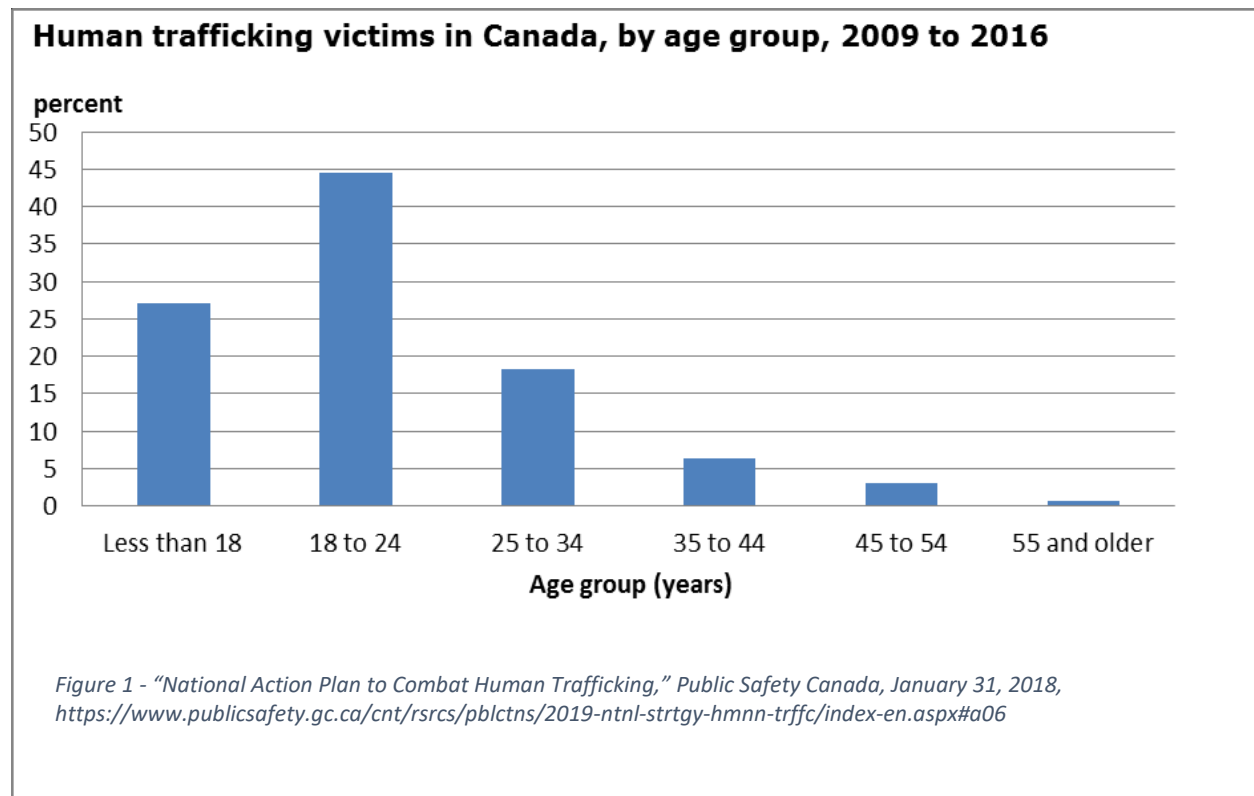
Those who become victimised by this malicious crime are not typically restrained by force or abducted from their homes.⁷ This despite popular depiction to that effect in films such as

⁵ Jonathan Todres. "Human Trafficking and Film: How Popular Portrayals Influence Law and Public Perception," *Cornell Law Review Online*, (2015): https://heinonline.org/HOL/Page?handle=hein.journals/clro101&div=2&g_sent=1&casa_token=IRVgr3RaTVMAA AAA:mvhZ_1869jtUON2aBW6l8jwo-6R_AkQoPx0stNLCmD7VI3ZGdSU5MVSNh-OifN14ZKkjXA_BDzs&collection=journals#

⁶ Carmen Niethammer. "Cracking The \$150 Billion Business Of Human Trafficking," *Forbes*, (2020): <https://www.forbes.com/sites/carmenniethammer/2020/02/02/cracking-the-150-billion-business-of-human-trafficking/?sh=2b01519f4142>

⁷ There is discussion not only among academics concerned with issues of sexual abuse but also among the public more broadly over whether "victim" is an inappropriate word to use in reference to those who undergo this form of trauma. The argument goes that labeling a person with the identity of victim can undermine their personal autonomy, a particularly undesirable outcome given that such an individual has already suffered a crime in which their bodily autonomy was attacked. For this reason, some argue "survivor" is a more considerate and even accurate label. While I generally agree with this assessment, I differentiate between a person "having been victimised," or existing as a victim at one point in time, and one who is labeled with the identity of victim into the future. While the identity of victim may not be appropriate, it is undeniable that such an individual was at one point in time "victimised." For this reason, while this MRP endeavors to prioritize the use of the term survivor wherever possible, it does make use of the terms "victims" and "victimised persons" throughout when referring to individuals currently suffering abuse in any given hypothetical circumstances which may be discussed. Information on the research underpinning the debate can be found here: Kaitlin Boyle & Kimberly Rogers. "Beyond the Rape "Victim"– "Survivor" Binary: How Race, Gender, and Identity Processes Interact to Shape Distress," *Sociological Forum* 35, no.2 (2020): 323-345, <https://doi.org/10.1111/socf.12584> ; Michael Papendick & Gerd Bohner. "'Passive victim – strong survivor'? Perceived meaning of labels applied to women who were raped," *PLoS One* 12, no.5 (2017): <https://doi.org/10.1371/journal.pone.0177550> ; Sandra Schwark & Gerd Bohner. "'Victim' or 'Survivor': News

Taken or *The Whistleblower*.⁸ They are instead lured and manipulated into the practice, whereupon they face further psychological or physical abuse, withholding of their personal documents, withholding of money, and forced drug use.⁹ These coercive behaviours leave those victimised by the practice feeling dependant on their abusers, creating psychological and emotional barriers to freedom in addition to what physical barriers might exist. To further the effectiveness of these strategies criminals target those who are already vulnerable to abuse, particularly young people. The Canadian Centre for Justice Statistics found that 27% of survivors were under the age of 18, while 45% were between the ages of 18 and 24, as shown in figure 1.



Images Affect Explicit and Implicit Judgments of Blame." *Violence Against Women* 25, no. 12 (2019): 1491–1509. <https://doi.org/10.1177/1077801218820202>

⁸ Jonathan Todres. "Movies and Myths About Human trafficking," *The Conversation* (2016): <https://theconversation.com/movies-and-myths-about-human-trafficking-51300>

⁹ "Myths & Facts," *National Human Trafficking Hotline*, accessed March 05, 2021, <https://humantraffickinghotline.org/what-human-trafficking/myths-misconceptions>

Additionally, while labour trafficking on its own remains a significant issue, 95% of human trafficking survivors in Canada are women and girls.¹⁰ While precise statistics on the various forms of human trafficking do not yet exist in this country, we can infer from this number that the vast majority of trafficking taking place in this country is sex trafficking. Human trafficking and modern sex slavery of this kind can be immensely profitable for those criminals who engage in it. The International Labour Organisation estimated in 2014 that globally human trafficking brought perpetrators a total annual profit of over \$191 billion, with two thirds of that being the result of sexual exploitation.¹¹ That same report estimated a global total of 21 million trafficked persons a year worldwide.¹²

Every year, the U.S. State Department submits to Congress the Trafficking in Persons Report (TIP Report). This comprehensive global report ranks every national government's efforts to combat human trafficking along three tiers. With the single exception of 2003, Canada has ranked amongst the first tier every year since 2000 when the report was first published. However, despite this near-perfect record, the TIP Report for 2020, as well as that for past years, has remarked that Canada continues to fail in gathering any meaningful data on the issue, not differentiating, for example, between cases of sex and labour trafficking.¹³ Because of this dearth of data, failures to coordinate between levels of government, and a lack of targeted investment towards the issue, Canada has previously faced the very real prospect of being downgraded to tier 2 in more recent years as well.

¹⁰ "National Action Plan to Combat Human Trafficking," Public Safety Canada, January 31, 2018, <https://www.publicsafety.gc.ca/cnt/rsrscs/pblctns/2019-ntnl-strtyg-hmnn-trffc/index-en.aspx#a06>

¹¹ "Profits and Poverty: The Economics of Forced Labour," International Labour Organisation, (2014): p. 13, https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_243391.pdf

¹² Ibid, p.1

¹³ "Trafficking in Persons Report 20th Edition," U.S. State Department, p. 143-144

Then, in 2019, the federal government announced the *National Strategy to Combat Human Trafficking 2019-2024*, which promised to provide \$75 million over 6 years to that purpose and set up a national human trafficking hotline which would help victims be referred to services in their local area. Additionally, the hotline would have the added purpose of serving as a means of survivor-centred data collection. This investment represents an increase of over 200% from the amount allocated specifically to this issue by the government in previous years and the 2020 TIP Report explicitly cites the strategy's implementation as a reason why Canada has again remained in Tier 1 for that year.

Therefore, the goal of this paper is to attempt to uncover what real impact this policy has had thus far and can reasonably be expected to have in the future. To that end, 9 expert-practitioners who work in the fields of education, advocacy, and supporting survivors were interviewed as part of an original study seeking to draw out their perceptions. While the study primarily inquired as to their own impressions of the national strategy's impact and importance to the field, it also asked them to describe what change if any they have perceived in the struggle against human trafficking over the years, what priorities they believe any government policy seeking to tackle this issue should take, and whether the national strategy was in line with those priorities.

It is popular among academics to believe that under ideal circumstances, when ideological and other confounding priorities can be set aside, policy should be based on data. However, in cases such as this where data is sparse or missing altogether, that is far more easily said than done. Given that lack of data, this paper seeks to utilise the perceptions of expert-practitioners as a second-best alternative through which to assess the policy problem at hand, and from which we can potentially help align our policy priorities. While recognizing the limitations

of a small, non-random sample, this paper makes an important contribution to the dearth of empirical data on trafficking in Canada.

Review of the Literature:

Several articles in the early to mid 2000's sought to define the scope of the problem of human trafficking in Canada through comparative perspective, taking as their primary foreign case that of the United States.¹⁴ These works recognised that trafficking in persons is a serious and endemic problem in Canada, and not merely a foreign issue to which Canada is tied through sex-tourism. Their focus, however, is not on the fact that human trafficking occurs between and among Canadians, but instead on discussing the issue of foreign nationals being illegally smuggled into the country for exploitative purposes, which the RCMP estimated at that time to be 800 individuals per year, a number which frontline service providers expected to be closer to 16 000.¹⁵ Additionally, these early studies see Canada playing a significant role as a way station for trafficking into the United States from elsewhere.

The RCMP did in fact publish a study a few years later in 2011 which was the result of information gathering efforts made from 2006 to 2009.¹⁶ It found that there are a significant number of women and migrants being trafficked into Montreal and the GTA from Eastern Europe by wider international criminal networks who also participate in a greater scope of illegal activities than human trafficking. However, the report states very plainly that according to what

¹⁴ Nadra Qadeer. "Canada Take Note: A Comparative Perspective on Trafficking," *Canadian Women's Studies* 22, no. 3-4 (2003): 71+. <https://link.gale.com/apps/doc/A111401764/AONE?u=otta77973&sid=AONE&xid=84ea433d>. ; Donna E Stewart, & Olga Gajic-Veljanoski. "Trafficking in Women: the Canadian perspective." *CMAJ: Canadian Medical Association Journal* 173, no. 1 (2005): 25+. Gale Academic OneFile (accessed February 5, 2021). <https://link.gale.com/apps/doc/A133983085/AONE?u=otta77973&sid=AONE&xid=cdfef7f8b>.

¹⁵ Steward & Galic-Veljanoski. "Trafficking in Women."

¹⁶ "Human Trafficking in Canada," Human Trafficking National Coordination Centre, Royal Canadian Mounted Police, 2011, https://books-scholarsportal-info.proxy.bib.uottawa.ca/en/read?id=/ebooks/ebooks0/gibson_cppc/2011-08-18/1/10465151#page=1

information the RCMP was able to gather, a plurality of the arrests made involving trafficking in person's charges concern individuals who are trafficking Canadian citizens or permanent residents.¹⁷ This report also identifies the issue of semi-decriminalised prostitution in Canada being used as a front for trafficking activities and sexual exploitation, which can make uncovering cases of abuse much more difficult in the absence of active investigations. Finally, it recognises the practice of grooming and the kind of coercive manipulation known to be employed by perpetrators.

Those earlier works seeking to define the scope of the problem and the government's response up to that point also cite Canada's adoption of the United Nations Convention Against Transnational Organised Crime, otherwise known as the 2000 Palermo protocol. This international convention creates standards for assessing global efforts to counteract human trafficking and is itself the legal basis for the U.S. State Department's annual TIP Report. These reports outline the ways in which the significant trauma endured by survivors can mean that they require an extensive amount of support for extended periods of time upon escaping abuse.

Importantly the reports also recognised the significant lack of data collection in Canada. Successive TIP reports note several contributing factors to this problem, namely weak coordination between levels of government, no formal cooperation between law enforcement agencies and frontline service providers, as well as the fact the data collection is reliant entirely upon the regular operations of law enforcement. The reports also single out the lack of targeted investment by the federal government and the lack of a cohesive national strategy on the issue as a further weakness in the government's response, and one which countries in similar

¹⁷ Ibid, p.1

circumstances have already addressed.¹⁸ Canada's 2019 strategy marks an attempt at redressing that weakness; this paper seeks to investigate the effectiveness of this strategy.

Later works from the early 2010's aim to analyse Canada's existing means of counteracting human trafficking, and either point out failings or suggest possible alternatives. One outlines ways in which provisions for human trafficking under the criminal code too often overlap with those meant to govern other kinds of sexual exploitation and are inconsistent with international legislation.¹⁹ In this manner, authors describe how they confound the acts of small-scale procurement or "pimping" with human trafficking under Canadian law. Another work by Jayasinghe and Baglay seeks to identify alternative legal means of supporting survivors who've been trafficked from abroad by arguing that the legal obligation for non-refoulement in the case of refugees should also apply to them, thus potentially increasing the proportion of cases that come forward to police.²⁰ Others focus more generally on understanding the responses taken by local and provincial governments to tackle the issue through case studies.²¹

Additionally, Simonovska's 2019 M.A. thesis uses a theoretical social constructivist lens to attempt to understand the ways in which human trafficking as an issue has been shaped in the Canadian public perception. It notes that the problem has, at least at the federal level, been

¹⁸ "Trafficking in Persons Report 18th Edition," *United States Department of State Office to Monitor and Combat Trafficking in Persons*, (2018): p. 130-131, <https://www.state.gov/wp-content/uploads/2019/01/282798.pdf>

¹⁹ Katrin Roots, "Trafficking or Pimping? An Analysis of Canada's Human Trafficking Legislation and its Implications," *Cambridge University Press*, (2013): <https://www.cambridge-org.proxy.bib.uottawa.ca/core/journals/canadian-journal-of-law-and-society-la-revue-canadienne-droit-et-societe/article/trafficking-or-pimping-an-analysis-of-canadas-human-trafficking-legislation-and-its-implications/4BFF5E6F9F589307815A4265A8EA33D8>

²⁰ Udara Jayasinghe, Sasha Baglay, "Protecting Victims of Human Trafficking Within a 'Non-Refoulement' Framework: is Complementary Protection an Effective Alternative in Canada and Australia?," *International Journal of Refugee Law* 23, no. 3 (2011): p.489-520, <https://doi-org.proxy.bib.uottawa.ca/10.1093/ijrl/eer022>

²¹ Julie Kaye, John Winterdyk, & Lara Quarterman, "Beyond Criminal Justice: A Case Study of Responding to Human Trafficking in Canada," *Canadian Journal of Criminology and Criminal Justice* 56, no. 1 (2014): p.23-48, <https://www.utpjournals.press/doi/abs/10.3138/cjccj.2012.E33>

construed entirely as a problem whose solution lies in the correct application of law enforcement and criminal justice.²² This has significant knock-on effects for how we can expect policy solutions, such as the 2019 national strategy, to be developed.

In summary, a fair amount of past literature has sought to define the scope of the problem in Canada since it first gained serious academic attention in the wake of the collapse of the Soviet Union and the appearance of resultant migrations flows. Those earlier works sought primarily to define the issue, while those that came later focused on discussing measures and remedies which they believed the federal government could potentially undertake as a means of mitigating the problem. Most recently, some effort has been made to understand how Canadians have come to think of the issue, and how those perceptions have affected our responses. Very little has been written on this topic since the publication of the national strategy in 2019 and no work thus far produced has sought to examine the current or expected impact of the study, through qualitative information gathering drawn from expert-practitioner interviews or otherwise.

Research Questions:

The Research questions addressed in this paper are as follows:

1. What do professionals working in NGOs and law enforcement combatting human trafficking perceive as the strengths and weaknesses of the 2019 federal strategy?

²² Tijana Simonovska, "Social Construction of Human Trafficking in Canada: Diagnostic and Prognostic Framing of Anti-Trafficking Efforts at the Federal Government Level," *Thesis Submitted to the Faculty of Graduate and Postdoctoral Studies, Department of Criminology, University of Ottawa*, (2019): https://ruor-uottawa-ca.proxy.bib.uottawa.ca/bitstream/10393/39865/1/Simonovska_Tijana_2019_thesis.pdf

2. What do they perceive as the greatest roadblocks to combatting human trafficking in Canada?

Methodology:

The decision to gather and analyse qualitative rather than quantitative information was made first because access to quantitative data was deemed too difficult to achieve, and second because of the substantial evidence that such data which already did exist at the time of writing was narrow in scope and unreliable. The TIP Report makes clear that the failure of the Canadian government to gather cohesive and centralised data on the phenomenon of human trafficking has been a consistent problem over the last 20 years. What's more, this claim was supported by evidence provided through expert-practitioners over the course of this study.

The problem arises partly from the fact that what data the federal government does gather are collected as a part of regular policing and enforcement operations. Consequently, such data understandably tend to be centered around criminality rather than survivors. It is therefore reported to misrepresent to the number of victimised individuals affected by the crime. As a result of the manner of its collection, it will of course additionally fail to record in any way those survivors who escaped their abusive circumstances at some point before law enforcement was able to apprehend their abusers.

Not only does this data suffer therefore from a significant weakness of inaccurate recording, it also does not consider a meaningfully wide array of variables regarding the individuals in every case. For instance, the government's data makes no differentiation between survivors of sex and labour trafficking, two fundamentally different crimes affecting

significantly different portions of the population and being conducted through entirely different means by different kinds of criminal networks.

The prospect of gathering original quantitative data as a means of investigating the research questions posed by this paper was not deemed a realistic option given the scope and timeline of the project, especially given the sensitive nature of the subject matter. One interesting alternative that could be considered would be to gather all provincial human trafficking data and attempt to draw some national conclusions from this aggregated information. A probable and significant hurdle to such a pursuit would no doubt be the lack of uniformity which surely exists amongst provincially gathered data. Such information varies significantly in reliability, criteria for inclusion, formatting, and scope of the considered variables.

Due to these challenges of collecting quantitative data and analysis, this MRP is based on qualitative interviews with 8 expert-practitioners. After obtaining ethics approval S-08-20-5669, I reached out through email directly to expert-practitioners as individuals, rather than as representatives of their respective organisations. The logic of this was twofold. First, that speaking as individuals might encourage respondents to speak more candidly about their feelings and perceptions as to the effectiveness and potential impact of the government's strategy. This objective was helped by assurances made as a part of the consent form signed by participants prior to the interview that their identities would be completely anonymized and that the final paper would make no reference to them as individuals or to the organisations to which they are a part.

Second was an ethical consideration that reaching out to organisations more broadly would have facilitated circumstances in which superiors could potentially be incentivised to put pressure on their employees to participate in the study. Given the sensitive nature of the

discussion topic and the reality that many of those who come to work in the fields of advocacy or supporting survivors are themselves survivors of human-trafficking related trauma, this step was taken as an additional means to ensure that none of the respondents were subject to any undue pressure to participate. The consequence of this however was that several of the respondents were only able to be reached as referrals from other previous participants, meaning that the study suffered from the phenomenon of snowball sampling. This issue is discussed in greater depth in the “Limitations of the Study” section of this MRP.

Stepping back to the issue of potentially generating undue pressure to participate, this ethical pitfall was also mitigated by the fact that those who do come to work in this field are likely to be comfortable discussing the topic, at the very least in the general policy terms which the study was investigating. What’s more, respondents were provided with the interview questions well in advance of their interviews and prior to signing the consent form, giving them ample time to consider their level of comfort and make a final decision as to whether or not they were willing to participate. A full list of the questions posed as a part of the interviews is included in the appendices.

Another important part of the study’s methodology is that it only considered participants who had at least 4 years experience working on human trafficking issues in Canada. Because the study sought to examine the perceptions of expert-practitioners who could speak with some degree of authority as to the state of Canada’s overall efforts to combat human trafficking, those individuals needed to have spent a minimum amount of time working in the field. Such a minimum period of experience was also important for ensuring that they would have some knowledge of the field prior to the implementation of the policy two years ago, at the time of

writing. Such experience was deemed important if they were to be able to relate any changes in the field that may now be beginning to occur.

An exception to this rule was made in a single case for which a respondent indicated interest in participating in the study but had not been working in the field for at least 4 years. The exception was made for two reasons, the first being that the individual's work experience was still significant, despite falling under the target. The second was that they had clearly achieved some degree of knowledge as to the nature of human trafficking in Canada before coming to work in the field professionally through their involvement in other related fields such as women's rights advocacy.

A conscious attempt was made to find respondents from diverse regions of the country wherever possible. This effort can be counted as a partial success. While 4 of the respondents live and work in Southern Ontario, the study was also able to interview 1 respondent from each of Nova Scotia, Manitoba, Saskatchewan, Alberta, and Western Ontario. However, it must be recognised that these findings cannot be generalised due to the fact that they were drawn from such a small and non-random sample.

As relates to the selection of the interview questions themselves, an effort was made to make questions as general as possible, both for the ethical reasons mentioned above and to provide respondents the widest possible breadth to speak about their impressions of the policy and the state of the struggle against human trafficking in Canada. Those specific questions which were posed to respondents were in turn kept as impersonal as possible, looking only at any funding an individual's organisation might have received and what programs such funding may have allowed them to improve or expand.

The interviews themselves were conducted over Zoom at varying times over the course of the workday. These virtual meetings began unrecorded, and then after a brief period of introductions respondents were informed that the recording was beginning and that the formal interview would commence. In the days following the interview audio recordings of the responses were listened to. Issues and themes raised by respondents, as well as salient anecdotes, were transcribed onto a master document for later comparison with those of the other respondents.

Analytical Framework:

As mentioned elsewhere in this MRP, part of the difficulty that exists in tackling the issue of human trafficking is that there is a great deal of public misunderstanding about the nature of the problem. While experts may agree on a definition, they still fail to adopt a single clear manner of identifying cases of human trafficking largely due to ambiguity about degrees of abuse, and what actually constitutes force, fraud, or coercion. This MRP does not have the answer to these questions, which are raised in greater depth under the *Politics and the Legal Status of Sex Work* subheading.

There is however significant consistency in the definition used by those institutions concerned with the issue. The Canadian Human Trafficking Hotline’s website, developed as a part of the 2019 national strategy, states that: “Trafficking can exist in many forms and usually entails victims being caused to provide sexual services or labour through force, coercion, deception and/or abuse of trust, power or authority.”²³ The language used as a part of this

²³ “What is Human Trafficking,” Canadian Human Trafficking Hotline, accessed March 15th, 2021, <https://www.canadianhumantraffickinghotline.ca/what-is-human-trafficking/#1552391239532-e51b302e-90f6>

definition is shared by the UN Palermo protocol, the US Department of Justice, leading Canadian NGO's which work to tackle the issue, and the Canadian Criminal Code.²⁴

Keeping this definition of human trafficking in mind, the analytical approach taken by this MRP is simply to recontextualize responses provided by the interviewees with some information stemming from my own research into issues of federalism and public policy. The MRP equally hopes to draw out some of the most salient points raised by respondents and through this analysis provide some practical policy recommendations which could move the dial in addressing those points.

Findings:

Here the discussion is divided in several subsections outlining the study's findings regarding a single topic or recurring theme brought up by individuals working with both frontline service providers and organisations primarily concerned with education and advocacy. The themes selected for discussion here were determined entirely as a result of the frequency with which they appeared in the interview responses. The information related in these sections is often drawn from information relayed over several responses given by a participant during the course of an interview, rather than the answer to a single question.

²⁴ "Legislation," Department of Justice Canada, accessed March 15, 2021, <https://www.justice.gc.ca/eng/cj-jp/tp/legis-loi.html> ; "Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime," United Nations Human Rights Office of the High Commissioner, accessed March 15, 2021, <https://www.ohchr.org/en/professionalinterest/pages/protocoltraffickinginpersons.aspx> ; "Human Trafficking," United States Department of Justice, accessed March 15, 2021, [https://www.justice.gov/humantrafficking#:~:text=Human%20Trafficking%20Defined&text=b\)%20The%20recruitment%2C%20harboring%2C,\(22%20U.S.C](https://www.justice.gov/humantrafficking#:~:text=Human%20Trafficking%20Defined&text=b)%20The%20recruitment%2C%20harboring%2C,(22%20U.S.C) ; "About Human Trafficking," The Canadian Centre to end Human Trafficking, accessed March 15, 2021, <https://www.canadiancentretoendhumantrafficking.ca/about-human-trafficking/> ; "Human Trafficking," Ottawa Coalition to End Human Trafficking, accessed March 15, 2021, <http://www.endhumantrafficking.ca/sex-trafficking/> ; *Criminal Code*, RSC 1985, c C-46, s 279.04(1,2)

Funding:

The first question asked of respondents concerned whether they were aware if the organisation for which they worked had received any additional funding thus far as a result of the 2019 federal strategy. Every respondent indicated that no additional funding had reached them, while one organisation had its funding reduced in the wake of the 2019 strategy's implementation. Some respondents detailed interesting problems they faced as a result of what they believed to be inconsistent or misguided government approaches with regards to funding.

One respondent indicated that their funding had not increased for 12 years. Another had not received any additional funding as of yet but had submitted an application for funding that would allow them to expand the operation of a successful assessment tool they had previously developed, stating that they were currently awaiting a reply from the government. The issue was raised on one occasion that while the opportunity to apply for additional funding was made available to one organisation, they made the difficult decision not to submit an application. This was done on the grounds that they did not serve enough human trafficking survivors to ethically justify receiving a grant of the size that was offered, given that it was meant to be used specifically for the purpose of aiding survivors of human trafficking and not more general forms of abuse.

The respondent noted that while their organisation receives approximately 12 000 crisis calls a year, only a small portion of those are human trafficking related. One theme apparent here, and one which reappears throughout the answers given by two of the respondents, is that human trafficking is already disproportionately well funded compared to other issues of sexual exploitation and abuse such as spousal or intimate partner violence which do not necessarily contain any trafficking or financial element. Respondents expect that this is due to human

trafficking's success in capturing the public attention in a way that is not true of other forms of abuse, a phenomenon which will be explored later in this MRP.

One respondent reported a critical funding gap which their organisation had to endure partially as a result of the new strategy. At the end of their fiscal year they faced the prospect of going un-funded after the government changed which grants were available. Their organisation served 800 clients annually and lobbied the government for a solution, arguing that they provided critical services which would have a serious impact on public welfare were they to be cut short. The respondent also stated that it would be logistically and financially impossible to re-launch those services if a lack of funding caused them to be shut down for any period of time. The organisation was told by the government that they would have to wait 6 months in order re-apply for new forms of funding. The respondent reported that fortunately their organisation was able to reach out to the local community and through a generous campaign of donations scrape together the funds required to continue operations for a single year as they awaited the new round of grants.

At the time of the interview the respondent's organisation had submitted their application to the government and had receive word that their application was approved two months afterwards. However, they had yet to receive any of that funding. What's more, the respondent expects that their organisation's total government funding will decrease in the wake of the change, receiving approximately \$600 000 less over a 5-year period than they did previously. The respondent noted that only \$19 million of the \$75 million allocated as a part of the strategy will go to organisations like theirs, and expressed skepticism as to useful application of the rest of the funds out of a feeling that they were not being utilised in a transparent manner.

Respondents also identified the importance of funding services across the country more broadly, regardless of whatever grants their organisations specifically had been able to access. Individuals from some regions of the country expressed frustration that they felt Ottawa was not giving their provinces the attention they deserved on this file. What's more, they felt that the support which was coming from the federal government did not take into account differences in the reality of the situation province by province.

As mentioned above, some respondents from South Western Ontario felt that funding was disproportionately available for human trafficking compared to other issues their organisations were concerned with. At the same time, a respondent from New Brunswick expressed frustration that in their province the issue was being under funded and frontline service organisations were not being adequately consulted given the fact that New Brunswick has been identified as a national hub for trafficking.

Another issue raised by respondents in arguing that services need to be available across the country is that victimised persons need to be able to access service on their first attempt. If a person being trafficked makes the difficult decision to risk repercussions from their trafficker and tries to gain access to a service but then subsequently isn't able to do so, there is a high likelihood that they may never again attempt to access services or outside help again. To that end, respondents noted that it would be useful for the government to recognise that trafficking occurs throughout the country, even though it is concentrated in urban centres overall.

One example of the kind of trafficking which can occur in rural settings just as frequently as urban ones is that of parents trafficking their children. This not in the sense of moving them between regions, but instead between the other members of their communities. To this point,

several respondents noted separately that a majority of people are trafficked by those with whom they have very close relationships, primarily either family members or intimate partners.

Coordination Between Levels of Government:

For many of the reasons stated above, there was a strong impression among several of the respondents that more needed to be done to coordinate efforts between levels of government. Suggestions were variously made that each province ought to adopt its own human trafficking strategy under national guidelines and standards, or that otherwise the federal government take responsibility for nation-wide human trafficking efforts more broadly. What's more, some called for the establishment of a national human trafficking coordinator or spokesperson whose federal office could help with coordinating efforts across the country. These proposals were all made with the caveat that the government also needed to take into account the regional differences in Canada's human trafficking problem, however.

Lack of Awareness Regarding the National Hotline:

The study subsequently asked respondents what they perceived to be the impacts of the human trafficking hotline. Here participants largely expressed skepticism with regards to the hotline and even an uncertainty as to whether it had begun to make referrals at all. Several participants mentioned it was too early to yet determine what the impact of the hotline would be, but perceptions varied as to what the future expected impact might be. Several respondents stated that they had been in contact with those responsible for setting up the hotline, and that they were coordinating such that their organisation was among the approximately 900 to which the hotline was prepared to refer human trafficking survivors. One expressed concern that while their

organisation was prepared to begin taking referrals, they had not received any additional funding to support the expected increase in clients.

As of yet, none of the respondents said that their organisations had received any referrals from the hotline, while one mentioned that despite the fact that they themselves had not receive any referrals, they had heard of one referral being made to another organisation at some point in the past year. Every respondent expressed feeling disconnected from the hotline's activities and in some cases uncertainty about whether or not it was in fact operating. Many stated that survivors in their region of the country had no awareness of the hotline, and that it was rarely if ever mentioned even in discussions among other expert-practitioners.

While some expressed support for the idea of a national hotline and mentioned having been contacted as a part of the consultation process in developing the framework for the 2019 national strategy under which that hotline was established, they criticized difficulties surrounding its rollout and a lack of effort to aid in raising awareness of its existence. This perceived failure to raise public awareness regarding the hotline was cited by 8 of the 9 respondents and is the most heavily emphasised part of the responses gathered from those interviewed. One respondent stated their view that "one of the pillars (of the national strategy) is missing, and I would suggest that pillar is public awareness and education about where trafficked women can call." It should also be noted that the only respondent who did not make mention of this point was involved in the hotline's operation.

Some expressed that they had at one point held a great deal of optimism regarding the hotline's impact on the state of human trafficking in Canada, both for the reason of connecting survivors to needed services and in its ability to potentially collect much-needed data. However, they stated that the lack of public awareness coupled with the fact that the hotline had yet to

release any data now caused them to come to disregard it as a useful tool. While the hotline has in fact yet to release any information, a respondent close to the operation of the project reported that it was in the final stages of analysing and preparing data from its first year of operation for public release.

Some dissatisfaction was also expressed at the idea that while provincial initiatives have encouraged frontline service organisations to specialise in the kinds of trauma they provide support for, the hotline does not list the trauma-specific work of those organisations it is partnered with, and so does not have the capacity to refer survivors on the basis of their trauma. Here the study's findings reveal some conflicting information. While respondents associated with frontline service organisations expressed frustration at the lack of trauma-informed referrals, respondents associated with education and advocacy organisations, including one close to the operation of the hotline, held up the success of trauma-informed referrals as one of the hotline's greatest strengths. This lack of knowledge about the hotline's operations clearly points to a demonstrable lack of awareness regarding the project even among expert-practitioners.

Similarly, while many had not heard of the hotline making a single referral as mentioned above, the respondent close to the hotline's operation was able to confirm that it had received 2300 signals in its first year. However, they noted that not all of those were crisis calls from survivors. This number is interesting in that it clearly points again to a general lack of awareness regarding the hotline among expert-practitioners working to support survivors because it does seem to represent a meaningful number of calls. What's more however, it also may further indicate a lack of awareness among survivors themselves in that it is so low compared to the number of signals received by frontline service organisations themselves. One respondent working in such an organisation stated that they believed the 2300 figure to be exceptionally low

given that their local organisation alone not only contacted but directly served more than 1300 trafficked or sexually exploited women over the same period.

A majority of respondents, and particularly those from outside of Southern Ontario, also expressed a feeling of uncertainty and disconnection regarding the federal strategy more broadly. Some said that they had heard of the strategy's implementation but had not investigated to learn the particulars of the strategy before being requested to participate in the study. Some stated that they do not usually consider Ottawa's role in working on the issues because they receive a majority of their organisation's funding from their provincial governments and work to abide by provincial rather than federal standards and regulations in their day to day operations. Additionally, they identified the strategy's efforts as described by Public Safety to be to impractically broad. They cited this as a justification for their low expectations regarding its impact. Because of these reasons and those mentioned above, they admitted to paying very little attention to federal initiatives generally and felt disconnected from Ottawa, maintaining a sense that its activities were not particularly relevant to their circumstances.

Secondary Issues with the National Hotline:

Secondary issues raised regarding the hotline's work so far revolve around its reported inconsistency. Respondents spoke of spotty communication with frontline partner organisations and changes among the hotline's leadership structure making coordination more difficult. Additionally, respondents reported that the hotline briefly shut down operations during the months of the early arrival of the COVID-19 pandemic in Canada before being re-opened. They cited this as a major issue given the way in which the pandemic already acts to impede survivors' access to services, and that even when the hotline was re-opened it did so with reduced hours. The enduring lack of data yet produced despite promises to make such information available was

also a frequently cited concern, although as mentioned above, a source close to the hotline did claim that plans were in place to release the data gathered during its first year of operation soon. There is no strong indication of when precisely any expectation can be made regarding its release, noting however that it will certainly not be made publicly available until sometime in the summer of 2021.

Prioritising Education and Vulnerability Reduction:

There was a sentiment expressed uniformly across all of the respondents that empowerment of survivors, public education, and efforts to redress some of the vulnerabilities which make a person more likely to fall into human trafficking than otherwise were the key priorities the government needed to emphasise. Respondents indicated that they felt these objectives had not taken pride of place in past initiatives, and that while the current strategy did offer some improvement, law-enforcement seemed to remain the government's first priority. A majority believed that until these priorities were re-aligned, any federal strategy would not succeed in making a meaningful impact on the issue.

Two respondents mentioned that one practical improvement that they would welcome is a shift in which government departments and agencies were responsible for future programs, and that they strongly encouraged various government offices to work across silos. They identified the fact that the 2019 national strategy is being operated solely by Public Safety Canada as a major issue. One respondent admitted to feeling disappointed when they learned that the Women and Gender Equality Canada was not involved as a partner in either designing or implementing the strategy. Several respondents stated that they felt any federal strategy would be inevitably bound to prioritise law enforcement above any other considerations as long as Public Safety Canada remained the sole department responsible. Some also expressed frustration that while the

federal government had pressed nongovernmental organisations like their own to work more cooperatively with one another and across silos, the government itself had shown no interest in doing so within its own structure.

One aspect of the 2019 federal strategy which was noted as being a significant positive step in the right direction by a respondent was the addition of *Empowerment* to the 4 P's approach taken previously, these being *Protection*, *Prosecution*, *Partnership*, and *Prevention*. Empowering survivors was a priority some other respondents also identified as a critical improvement. On the Public Safety Canada webpage for the strategy, the government describes the empowerment pillar of its efforts to mean “Supporting victims and survivors to regain control and independence and encouraging action by industry partners,” and that it will aim to “provide victims with tools to regain their independence and dignity.”²⁵

Respondents agreed that empowerment was a very important element requiring government attention, both because it can encourage those who have experienced trafficking to leave their abusers and because it will reduce circumstances which might cause them to fall prey to trafficking again in the future. This is because those survivors who manage to leave their abusers are not only in need of psychological support, they very frequently suffer from some form of expensive or dangerous drug addiction and lack legally marketable skills. Because of this, former trafficking survivors often turn to the sex trade because they feel like they have no other means of sustaining themselves financially. Engaged once more in the sex trade, they are vulnerable to more abuse and exploitation, possibly falling back into circumstances of being trafficked. Respondents identified this phenomenon as only having worsened under the COVID-

²⁵ “National Action Plan to Combat Human Trafficking,” Public Safety Canada, January 31, 2018, <https://www.publicsafety.gc.ca/cnt/rsrscs/pblctns/2019-ntnl-strtyg-hmnn-trffc/index-en.aspx#a06>

19 pandemic, in which millions of jobs were lost across the country and millions more workers had to survive off reduced hours. Some of those affected were of course survivors of human trafficking, who were subsequently pushed to return to sex work out of a sense that they had no other options.

One respondent recognised that simple economic survival may also not be enough. This is because despite psychological and emotional abuse inflicted on them by their traffickers, some trafficking survivors may actually have access to higher quality goods and services by their proximity to the wealth generated through their abuse. It is of course well recognised that human trafficking is an incredibly profitable form of criminality. Some who are victimised might have come to normalise living in higher end hotel rooms as a result of the abusive behaviours of their traffickers. For example, one respondent stated that human trafficking victims need to look and dress a certain way so that their traffickers will be able to attract clients and charge a greater amount for sex.

When faced with the comparative poverty of living on government assistance or in a transition home for an extended period of time, survivors are provided a further financial disincentive from leaving their abusers. Coupled with the fear of violent reprisal, emotional abuse, and addiction issues which are already working to make a victimised person feel that there is no escape, this confounding concern can contribute significantly to impeding an eventual decision to leave.

Several respondents identified this as being why education and creating a clear path for survivors to restart their lives once they break free from abuse was such a necessary element for any strategy to be successful. Making funding available that would grant individuals dwelling in transition homes the ability to access higher education or professional careers training is one

practical example of how this kind of idea could be put into practise. One option suggested by a respondent was that governments could fund marketable skills training directly through frontline service providers, making use of their existing expertise and resources. What's more, such an example was seen as a way in which the federal government could achieve the goal of improving cooperation with frontline service providers more generally.

Respondents noted that it can take years or decades for a person who has endured the abuse which is typically associated with human trafficking to recover. This was part of the reasoning why education was seen to be a foremost priority not only in preventing a return to trafficking, but in reducing vulnerability to trafficking in the first place. Traffickers do not operate by physically confining their victims. Instead they use "luring" or "grooming" techniques to establish bonds of trust with those they seek to traffic. Typically, once a trafficker has established this bond of trust, they will perform what is referred to as "love-bombing" in which they shower the target with gifts, affection, and promises.

Then, when the potential victim is emotionally off balance, they begin to rapidly apply pressure to encourage them to perform sex acts they may not be comfortable with and to take drugs they otherwise might not have agreed to. They might then begin to offer their victims money in exchange for sex as a form of normalising the practise and pressure them to have sex with friends of the trafficker, all while isolating them from their own friends, family, and other contacts. Respondents describing this typical example of a grooming process stated that victims can become overwhelmingly emotionally dependant on their abusers. Respondents described how shame can also contribute to play a very significant role in preventing them from leaving even though they may be deeply unhappy. This is especially true because victims realise that the relationship with their trafficker may have initially involved activities that were at least partially

consenting and may only have been conducted under an ambiguous amount of force fraud or coercion.

Respondents identified greater public education about this grooming process as one of the clearest and potentially most effective means of reducing vulnerability to the abuses of human trafficking throughout our society. One suggested means of doing so would be to include education in the public school system, either integrated into the curriculum or taught as a seminar given by a local organisation, which would give young people an understanding of the grooming process and how it functions. In this way, more young people might be able to identify dangerous and abusive behaviours like grooming in those they choose to associate with and then separate themselves from those people before it becomes too late. Similarly, youth would have more knowledge of the risks associated with human trafficking more broadly, and would potentially keep a sharper eye for dangerous situations of any kind that their peers might fall into.

One respondent recognised this kind of measure may be a very difficult one to implement however because of the political opposition that seems to exist to explicit education of difficult subjects for youth of a relatively young age, especially if those subjects are related to sex. Respondents stated however that they believed these kinds of measure were necessary. Separately, they stated that those falling prey to human trafficking were becoming younger and younger as their time working in the field has gone on. Some referenced the existence of survivors as young as 9 years old, while 12 was a much more common number for the low edge of the age range.

One example of this kind of curriculum-based education is that which has already been adopted in Ontario. Unfortunately, one respondent identified Ontario's approach as problematic

and riddled with disinformation, stating that the lesson plan as outlined made no differentiation between sex work and human trafficking. This kind of misguided approach, they argue, only contributes to fear mongering and public misinformation about sex work and the realities of trafficking.

Several respondents believe that the internet, while it has enabled an increase of public awareness surrounding the issue, has also made it far easier for human traffickers to find those seeking to procure sex, and subsequently make money through abuse. In part because of this, they expect that the total amount of human trafficking in the country has increased significantly in the past decade as the internet use has become a more and more universal means for the procurement of every kind of good and service. Simultaneously, it is also identified as being a means through which women and girls are being drawn into dangerous and potentially abusive situations. For that reason, education is also important for teaching youth about the threat of catfishing the ways in which internet profiles can be faked with relative ease on any site.

At the intersection of the issues of underage or child trafficking and internet use is the recent scandal surrounding the popular Montreal based pornography hosting service Porn Hub. This scandal broke when it was revealed that the website had been hosting child pornography available for public viewing. Respondents point to this as a clear example of the need to address the issue of victimised persons becoming younger over time. The lack of a formal police investigation into the website's activities is also pointed to by respondents as a critical failure of the government's ability or willingness to enforce anti-sexual abuse clauses in the criminal code, part of a much larger issue when it comes to human trafficking.

One element of education which is also pointed to by respondents is the importance of making sure that professionals who operate in spheres existing in proximity to the human

trafficking world are aware of the realities of human trafficking and know how to spot it when it is occurring. Respondents identify law enforcement officers as the foremost of these. Everyday law enforcement officers who have no special training in human trafficking or do not participate in any kind of task force relating to the practice still have a reasonable likelihood of coming into contact with trafficked persons or their traffickers during more routine calls that might bring them to a residence or hotel room for unrelated reasons.

Respondents felt police therefore need to be able to recognise the signs of human trafficking when they see them. This would help them understand the intense psychological abuse that could prevent a trafficking survivor from turning to them as a means of escaping their abuser even if given the opportunity. One respondent stated they had had some very positive experiences working with several members of their local police force in the past but wished they did not have to rely on the existence of “superstar” police officers. They wished instead that awareness training and instruction in survivor-centred policing approaches be standardised within law enforcement when it comes to approaching human trafficking cases.

For very similar reasons, the respondents cite trainings for judges which include mandatory demonstrated understanding as an important piece of the puzzle. Otherwise they may not appreciate the circumstances under which a survivor chooses, or chooses not, to testify. One respondent indicated that their experience with local hotel staff in the lead up to a significant public event likely to draw crowds from outside of town was one of the best signs of change in terms of generally increased public awareness that they’d experienced over the course of their career. The respondent stated that staff coordinated with their organisation and law enforcement under the expectation that traffickers may seek to operate out of the hotel facilities over the course of the event. The respondent noted however that it was possible that this was merely a

part of the hotel chain's policy, as it was a large corporation. Whether or not that may be the case, basic human trafficking awareness could potentially go a long way if it was part of training administered to hotel staff across the country.

Finally, several of the respondents argued that in efforts to reduce the number of individuals victimised by human trafficking, the government ought to go beyond education to mitigate factors which contribute to vulnerability. For example, many of those who are trafficked fall victim to the practices of their abusers because they were themselves abused as children. As a result, they do not understand what a healthy romantic relationship looks like. Similarly, they may be in foster care or lack positive adult role models who can keep an eye on them, make sure they are not inadvertently getting into dangerous situations, and provide help if they require it. Poverty can also be a driver of human trafficking, as once again women and girls who feel like they have no other option might turn to sex work to put food on the table. Something that is only made easier because of the prevalence of the internet and websites like Porn Hub and Only Fans. It also directly makes them more vulnerable to traffickers pressuring them to perform sex for money.

To mitigate these vulnerabilities, respondents again suggested education and more access to mental health and counselling services. Alternatively, education aimed directly at the most vulnerable populations about the dangers of trafficking such as wards of the state or children in the foster care system was thought of as potentially effective by respondents. Another suggestion made was that a guaranteed minimum income, while also helping to address a wide number of other social and economic inequalities in society, would go a very long way to mitigate if not eliminate entirely the social economic drivers which can help force people into trafficking and help prevent them from leaving once they've become victimised.

One respondent also made note of a significant inconsistency in the policy itself to this point. While the policy lists in its description three times that human trafficking takes advantage of vulnerabilities caused by broad social factors such as poverty, racism, sexism, wage inequality, lack of education, lack of social supports, and lack of employment opportunities, the 2019 strategy does not address these issue at any point in its 5 pillars approach. In summary, respondents felt generally that more needed to be done to affect sources of human trafficking rather than outcomes, and that education as well as broad measures of vulnerability reduction all represented effective means of doing so.

Politics and the Legal Status of Sex Work:

One major issue over which there was significant disagreement amongst the respondents was which legal status of sex work would be most propitious to reducing the amount of human trafficking in the country. Also interesting is that while their preferences varied, nearly all respondents identified this issue as one of significant import. Several respondents described the manner through which more legitimate but legally ambiguous forms sex work is either used as a cover for human trafficking operations, or as an avenue through which sex workers are brought into trafficking.

Respondents were divided into three camps. The first, abolitionists, believe that the banning of all sex work was necessary as the only means of ensuring that underage people did not participate, and as a way of making enforcement more achievable for police. They argued that doing so would remove the veil of more legitimate sex work that can allow traffickers to operate. They advocated that more effort be made to target people seeking procurement of sex as a means of targeting demand, and that existing laws needed be more thoroughly enforced. They

advocated that a specific attempt be made to target violent johns, who they identify as representing a majority of those who seek to procure sex.

Abolitionists as well as some others also objected to the police's decision to allow legally ambiguous body rub parlours to operate. The argument was made that very little is known about the operation of these parlours and that they could very easily be used as venues for women trafficked into Canada to work, or as places in which underaged girls could similarly be abused. They also stated that they believed abolition was the best course of action because of their feeling that no aspect of the formal sex trade was free from abuse. To this point they argued that high-end escort services and agencies are known to employ trafficked women. Some abolitionists also denied the idea that there was any empowering element to working in the sex trade and felt that no matter what efforts were made an abusive and illegal sex trade would always exist as a kind of shadow behind the legal one.

The second group of those respondents who took a stance on this issue were of the opposite view. They felt that the best way to protect women and girls was to provide a clear and safe alternative to trafficking by formalising the sex trade as a legal industry in Canada. Specifically, many women fall back into abusive situations upon escaping their traffickers because they feel like they lack an alternative which can ensure their financial survival. A legal sex trade, they argued, would most ensure they were able to operate free from abuse in a transparent and safe manner.

The third category was made up of respondents who argued that the current formula of decriminalisation under the Swedish Model is the most favourable legal status for sex work. They believe that this formula, which criminalises the procurement of sex work while providing legal protections for sex workers themselves, provides some structure to the sex trade all while

avoiding the problematic regulations that would come with full legalisation. These regulations, they believe, would make the lives of sex workers more difficult and potentially more dangerous. They argued that the need for full legalisation as a means of combatting abuse in the sex trade was mitigated by the fact that 7 in 10 existing sex work organisations were already run by women. This statement given by respondents implies the unsubstantiated but perhaps plausible belief that organisations run by women are relatively free from abuse compared to those run by men.

But even among this camp there was some disagreement. One respondent recognised that while the current legal status of sex work in Canada had come closer to their preferred formula in the past decades, they wished to go further and decriminalise procurement in addition to sex work itself, while still staying away from a fully legal and regulated sex industry. This respondent felt that the political appetite for such a legal scheme was greater than it had been in the past. Another respondent advocating for decriminalisation stated that the current formula was closer to their ideal, and but that police should do more to enforce those law already in place, focusing again on targeting procurement. Respondents in this more murky middle ground also argued that it was important that whatever legal structure be adopted at the federal level and implemented uniformly across all the provinces. It should also be noted that several respondents did not include a discussion on the status of sex work in their responses at any point during the interview.

Several respondents recognised that coming to any solution that involved changing the legal status of sex work or otherwise working to change Canadians perceptions of the value and place of sex workers within society would be extremely difficult. Such measures are not matters

which can be resolved by evidence and academic analysis. They are tied deeply into our senses of morality and right from wrong, things which governments alone will likely struggle to change.

Politics was also a challenge recognised by respondents because even among practitioners a clear definition of human trafficking can be difficult to agree upon. One respondent stated that when looking to coordinate with other frontline service organisations to gather some of their own data, they faced a problem because of this issue. The participating organisations had agreed to a standardised list of check-mark boxes such as whether or not a client had endured abuse which they would apply to all of their clients. In this way organisations could gather some of their own data and determine for instance what proportion of persons seen not just in their specific shelter but in their region as a whole were survivors of human trafficking.

What the participants in that effort realised ,however, was that when they went behind the veil and tried to identify what degree of mistreatment needed to be endured in order to be counted as abuse and so subsequently have that box check marked, they couldn't find any agreement. What's more, all of the potential answers that were given were incredibly politicised and rooted in largely ideological sentiments, such that there was little hope of finding any common ground.

As a result, some of the organisations participating in the project were marking practically all of their clients who had at one point participated in the sex trade as trafficking survivors, while another was defining the issue under more exclusive terms. This discrepancy reportedly caused a very small shelter to report that it had provided assistance to 800 human trafficking survivors in a single year, while a much larger frontline service organisation in that same region reported to have only seen 50 over the same period.

It is partially for these same reasons that a respondent made a case as to why perpetrators of human trafficking are frequently not brought up on human trafficking charges when they are caught by law enforcement. Whether the law lists these crimes as separate statutes or not, because human trafficking is difficult to define and therefore prove, criminals frequently end up charged with prostitution related crimes instead. What's more, different police forces will inevitably react to that ambiguity differently. Because of this, the respondent felt that until there is some kind of a national conversation or effort to resolve the question of the difference between human trafficking and sex work, and where exactly the line falls between the two, any government will struggle not only to collect good data on the issue, but to move forward in helping resolve it more broadly.

Secondary Issues with the Canadian Approach More Broadly:

Many respondents stated that they felt there was a significant degree of public misunderstanding about the nature of human trafficking. They claimed this was in part due to media depictions, some calling out the "Taken" movie franchise in particular for misrepresenting the realities of human trafficking. One respondent said they felt Canadians had conflated the issues of human trafficking and human smuggling because of this kind of media portrayal. The consequences of this are that Canadians largely don't know what to look out for if their friends or loved ones begin to fall prey to practices such as grooming.

Some of the blame, however, they directed at the government as well. Human trafficking is seen as a sensitive issue whose abuses are so morally repugnant and intertwined with our cultural or psychological preconceptions about sex that it is easy to mobilise public sentiment around the issue compared to other crimes. Some respondents expressed feeling that governments had previously used the issue and their efforts to counteract it as a means of

pushing a law and order narrative and thereby scoring political points. Several respondents felt that future government efforts should refrain from fearmongering around the issue, and instead pursue more realistic public education measures as discussed above.

One measure that Canada does not engage in but which was cited as one of the more easily implementable steps available would be to put up posters in highway service centers and rest stops across the country. Such a measure would both serve to educate the public about human trafficking and prove to be a possible avenue through which women could escape their traffickers by displaying information, such as the helpline number. Such posters typically feature references to a number available for trafficking victims to call, or encouragement to do so, as well as the expected arrival time for police if they reach out to 911. Posters of this kind are commonplace in the United States, and this was recognised by respondents as one clear area where the American response to the issue has been unreservedly superior to the Canadian one. Because public women's restrooms are some of the only spaces where trafficked women are ever alone from their abusers, such posters can have a meaningful impact.

Limitations of the Study:

One challenge faced by the study as a result of the ethical considerations incorporated into its methodology was that the study did not reach out to organisations as a means of seeking participants, but individuals. More information on the reasoning for this is provided in the methodology section of this paper, but it is worth noting that this operating principle not only made finding contacts to reach out to for a potential interview more difficult, it may also have affected the kind of respondents who were eventually able to participate.

Many organisations, particularly those that operate as frontline service providers helping to support survivors maintain, understandably, a policy of keeping the contact information of their members private whenever possible. This is of course necessary, given the very real danger these individuals could face if their names or information ever were to become associated in the minds of traffickers with their now escaped former victims. Many of these organisations do not only serve survivors of human trafficking, but also domestic abuse and intimate partner violence of all kinds. Finding the contact information of these expert-practitioners is therefore somewhat difficult, and rightfully so. It was only possible to reach out to some of those who were interviewed because their information was referred to the researcher by other previous participants who had at that point established a degree of trust with the researcher and so were willing to provide access to others in their field. This is an issue commonly referred to as snowball sampling.

The risk here for the utility of the study is that it may have to some extent merely cracked beyond the well-reasoned veil of privacy mentioned above and accessed a single network of these expert-practitioners. It would therefore not have surveyed a completely representative and random sample of individuals across the country and referring instead to a group of respondents who, although they may be geographically detached from one another and operate in entirely different regions of the country, still communicate and share their perspectives. In this way, the approach could potentially have biased the findings of the study towards one outlook or worldview. However, this limitation is mediated by the fact that only a small proportion of the respondents were contacted by the researcher through referral.

A smaller albeit related consideration is that the methodological approach taken by the study may have meant that it was only reaching very high-ranking individuals of these

organisations, as they are of course those whose contact information was most likely to be available, and who were most likely to meet the requisite minimum of 4 years experience working on the topic within Canada. In fact, the study did almost exclusively interview senior members of these organisations, rather than average service providers and councillors for example. While this may have the subsidiary benefit of helping to ensure that as many of the respondents to the study as possible were indeed the kinds of “expert-practitioners” that it sought to reach, it cannot easily be argued that taking the perspectives of almost uniquely management and executive level practitioners may have engendered some kind of biasing effect on the results.

It should also be considered that the means of contact, a cold email, may also have had an impact on the kinds of respondents participating in the study. It may be that individuals working in busier or more dangerous circumstances did not feel they had the time to respond to an email they were not familiar with, or otherwise that doing so might represent some form of a security or privacy risk through which more details of their identities or personal information could be revealed. It could therefore additionally be argued that individuals in regions of the country which see a lower frequency of criminality were therefore more likely to respond to the request for an interview.

This seems a somewhat weak qualm however, because a plurality of the respondents resided in cities within South-Western Ontario and the GTA, Canada’s largest hotspots for human trafficking. As figure 2 shows, Ontario alone accounts for approximately two thirds of all cases of police-reported human trafficking violations (65.8%). While this is of course a flawed metric because it omits non-police reported incidents and the volume of people being trafficked per capita, it does show us that Ontario likely makes up a super-majority of net cases. Not only

does this explain why the study primarily drew on sources from Ontario, it should as justify that fact as not limiting the study's usefulness.

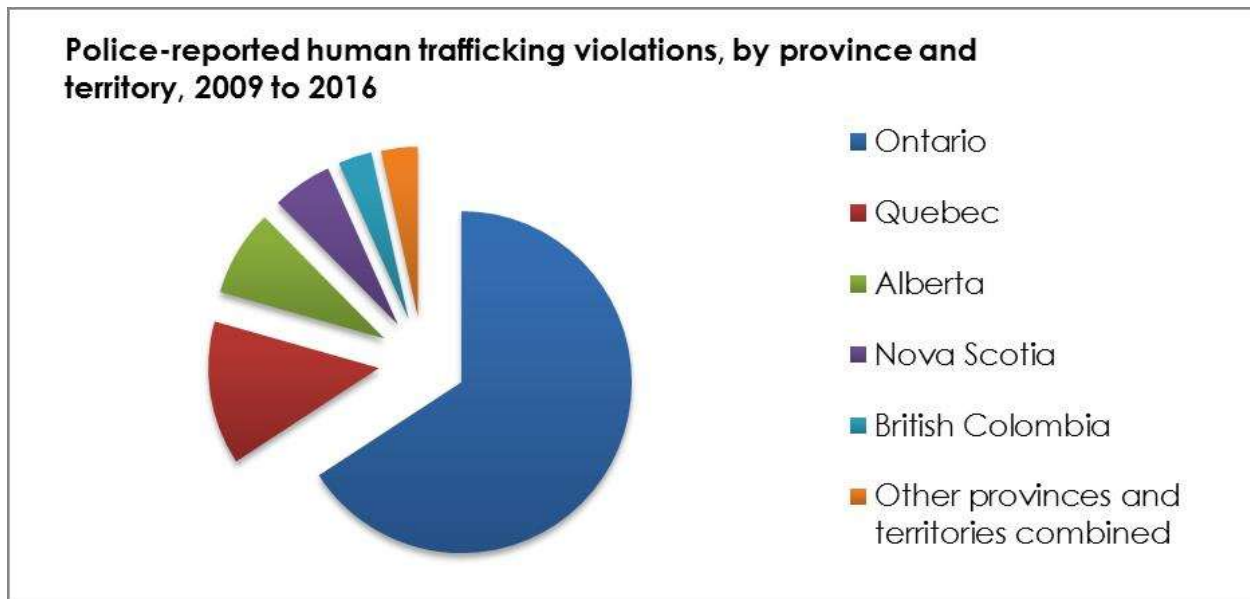


Figure 2 - "National Action Plan to Combat Human Trafficking," Public Safety Canada, January 31, 2018, <https://www.publicsafety.gc.ca/cnt/rsrscs/pblctns/2019-ntnl-strtg-hmnn-trffc/index-en.aspx#a06>

A final two valid criticisms of the paper, and ones for which it unfortunately has no clear answers are the groups which it was not able to include in the study. First, it was not able to include any individuals working in the field of law enforcement. Two of the pillars of the 2019 national strategy are prevention and prosecution. This coupled with the fact that the strategy was put forward by Public Safety Canada indicates that enhancing law-enforcement initiatives is a central focus of the policy. One source from the study estimates that approximately \$41 million of the \$75 million funded through the strategy went to law enforcement. It would therefore have been very valuable to have some insider perspective as to the importance of this strategy as it relates to the law-enforcement side of the issue. As such, including members of Canadian law enforcement agencies as part of the study had been one of its objectives from the outset. That said, everything which was mentioned above regarding the reasons for not making the contact information of individuals public as it relates to front-line service providers working to support

survivors is doubly true in the case of law enforcement officers. Unfortunately, none could be reached for interview within the timeframe of the project.

The second of these criticisms is that the paper was not able to reach any indigenous sources for interview. Historically disadvantaged communities and those which continue to suffer from marginalisation are of course disproportionately affected by many kinds of criminality, human trafficking certainly among them. While experts agree that human trafficking is a significant issue facing indigenous persons, there exists no clear data to show the scope of the problem. It would have been invaluable for the study to be able to include the voices and perspectives of some indigenous expert-practitioners on the matter and add their understanding to the information gathered here.

Conclusions and Recommendations:

Funding and Federalism:

The fact that none of the organisations associated with any of the individuals participating in the study had received any funding was certainly noteworthy. While it may at first seem clear that we should have expected a significant rollout of funding nearly two years after this \$75 million strategy was implemented, our findings also reveal that the issue may not be so cut and dry. As mentioned in the section on funding, one respondent stated their understanding that only \$19 million of that initial figure was to be directed towards supporting organisations such as theirs. If we are speaking of the strategy in terms of its support for survivors then, it is perhaps misleading to think of it as a \$75 million dollar strategy, given that the lions share of those funds are dedicated to the establishment of the hotline and to enhancing law-enforcement operations.

It could be that the limited scope of the study is the reason why it did not find any recipients of the funding. Still, the fact that the respondents relayed no information as to any other organisations than their own receiving increased funding may work to disprove that possibility. A more likely explanation perhaps is that the quantity of funds under discussion is simply not very significant when applied to the national scale, be it \$75 or \$19 million. Given that one respondent indicated that the annual operating budget of their local organisation, which was described by the respondent as small, amounted to approximately \$7 million a year, we can see why \$19 million over 5 years represents only a relatively small investment.

What's more, it may be precisely because the federal government only provides a small portion of the funding many of these organisations need to operate that nearly all respondents reported feeling disconnected from Ottawa and its efforts, and that it was their provincial, not federal governments that they looked to for leadership. If the federal government seeks to form meaningful partnerships with these organisations as it states within the 2019 strategy and aims to create a truly national effort to combat human trafficking, it may need to consider several new and alternative approaches.

The first of course would be to provide increased funding for the support of survivors on a larger scale than has previously been considered. It is no great revelation to say that more good can be done with more money, but this kind of investment may be necessary if the government seeks to establish deep and meaningful connections with frontline service organisations across the country. This of course with the caveat that it would first need to conduct a more thorough investigation into what regions of the country are in most need of extra funding. For instance, while one respondent from South-Western Ontario stated that they felt funding was in some cases disproportionately high relative to the problem, the opposite was true in other regions.

What's more, simply providing more financial support for frontline service organisations may not be the most impactful way to mitigate the harmful effects of human trafficking in the long-term, as is discussed later in the section.

In the struggle over jurisdictional control between federal and provincial levels of government, ongoing since the days of confederation, it is perhaps not so evidently in Ottawa's best interest to attempt to usurp the role currently played by the provinces as the primary source of funding and leadership for these kinds of organisations. Typically, negotiations between federal and provincial governments revolve around who can get away with paying less in support of expensive public policy programs while maintaining authority over their design, not who can pay more. Taking an alternative path then, if the federal government did decide it wanted to take a more central leadership role on the issue of human trafficking, it could provide additional funding directly through the provinces as transfer payments, instead of attempting to operate its own distinct strategy. In that way, it could potentially shape the conversation on national human trafficking by mandating some standards and best practices provinces would follow, while still leaving those provinces the wide authority they would no doubt demand in tailoring their responses to regional realities.

What's more, the federal government could move to establish a national spokesperson or coordinator of efforts to counter trafficking as some of the respondents suggested. Such a scheme it seems could go a long way to creating a greater sense of a single national struggle against the problem. Such an office could also potentially be responsible for organising a national conference on the issue in which expert practitioners from across the country could get together to network their efforts, and at which the current state of human trafficking in Canada could be discussed.

Whatever it does decide to do, the government must face the reality that the national strategy is not currently funded to a degree to which it is thought of as significant amongst expert practitioners. This is true to such a degree that nearly all of the respondents described feeling disconnected from Ottawa's activities and that its decisions were only tangentially relevant to their work. A situation clearly not in line with the government's stated objectives of leadership and partnership building on this issue.

Recommendations:

- Limit future plans for federal level strategies to combat human trafficking while maintaining the operation of the hotline.
- Support already existing and emerging provincial strategies through transfer payments contingent on their establishment and achievement of certain guidelines, best practices, or standards.
- Establish a national spokesperson on human trafficking to coordinate provincial efforts and represent Canada internationally on this issue.

Lack of Awareness Regarding the National Hotline:

This second consideration can be seen as tied to the concerns stated above and is perhaps the foremost issue made clear by this study. Despite some reported speedbumps in the early stages of its implementation, the hotline has now been running relatively smoothly for over 1 year. The fact that none of the respondents save those involved in the hotline's operation could state definitively that they had heard of a single referral ever being made by the hotline should certainly raise some eyebrows. What's more, we know that the actual total number of signals

reportedly received by the national hotline was very low: 2300 compared to the number of trafficked women helped by a single frontline service organisation, approximately 1300.

It is likely not the case that this low level of use is the result of apathy regarding the utility of the hotline on the part of survivors. Many respondents agreed the hotline does in theory fill a critical need. This coupled with the demonstrated lack of awareness of the hotline's operations on behalf of expert-practitioners makes it likely that the largest problem preventing this program from reaching its full potential is the general lack of public awareness regarding its existence.

It may therefore be wise for the federal government to engage in some public awareness-raising efforts regarding the hotline. Social media campaigns for instance can be done incredibly cheaply and could certainly utilise informational material already created as a part of setting up the hotline. Encouraging organisations working on human trafficking issues to share or re-post these materials should also be a relatively easy feat to accomplish and would mean that the hotline was more likely to reach networks and communities affected by the problem. Demographics are also important in helping to inform the recommendation to engage in specifically a social media-driven campaign, given that over 70% of human trafficking survivors are under the age of 25.²⁶

Another important measure the government could take to promote the hotline would be to put up posters in highway waystation bathrooms, as was suggested by one respondent as a part of more general efforts to reach out to survivors. Based on what we know about the patterns and practices of human trafficking, this is a strategy that would stand a very good chance of reaching

²⁶ "National Action Plan to Combat Human Trafficking," Public Safety Canada, January 31, 2018, <https://www.publicsafety.gc.ca/cnt/rsrscs/pblctns/2019-ntnl-strtg-hmnn-trffc/index-en.aspx#a06>

those currently suffering from this form of abuse and exploitation directly, bringing them potentially life-saving information regarding the hotline. Such an effort could also go a long way to raising awareness amongst the public about the presence of human trafficking, and given the apparent success of the measure in the United States there is good reason to believe it would be effective here.

Recommendations:

- Engage in a social media-driven public awareness campaign to educate Canadians about the existence of the new National Human Trafficking Hotline.
- Put up permanent posters or information boards containing information and guidance about human trafficking and how to escape it in public restrooms for women across the country, particularly in highway waystations.

Education, Vulnerability Reduction, and Survivor-Centered Approaches:

The focus of every respondent on education as well as financial and social vulnerability reduction as a means of developing long term solutions to human trafficking must certainly be noted. However, it is also arguably not very surprising. Had the study interviewed exclusively law enforcement officers, they would no doubt have given a variety of law-enforcement solutions when presented with the question of how the government should prioritise its efforts against human trafficking going forward. As it stands, individuals working to provide education, advocacy, and survivor support have understandably provided survivor-centred and education-based solutions.

That is not to say that the value of the solutions put forward should be in any way diminished. It is clear that human trafficking operates by exploiting vulnerabilities created

through social and economic inequality. The more any government does to redress societal inequalities, the more they will reduce these vulnerabilities and subsequently engender a positive impact in limiting human trafficking. What's more, such measures would also potentially limit human trafficking by reducing the number of traffickers seeking to commit this heinous crime. While there are certainly other psychological motivators at play, human trafficking, like many other forms of criminality, is largely driven by economic need. This too is one of the reasons why ideas such as the implementation of a guaranteed minimum income strategy suggested by one respondent could prove so beneficial to society as a whole.

One change in the government approach that seems relatively practical for instance would be to make future human trafficking strategies joint ventures between public safety Canada and the department of Women and Gender Equity. This would not represent a significant cost increase for the government and would help ensure that a more wholesome survivor-centred approach was taken at every stage of such a program's development and implementation. Regardless of practical outcomes, it could also go a long way to convincing communities concerned with the human trafficking question that the government had heard their complaints and was willing to alter its approach. Much more than the purely cynical political objective which would be accomplished however, such an achievement would also no doubt have positive spin-off effects in terms of partnership building and cooperation.

Incorporating some element of human trafficking awareness education into the public high school system is another measure recommended by respondents that meets the right mix of administrative achievability, cost, and potential utility. However, one of the most significant obstacles facing such a measure is its political feasibility. While such a measure could have a significant practical impact, there is a certain portion of the population that would be opposed to

such a measure on ideological grounds. While this is true, it is mitigated by the fact that there would also be an expected backlash to that opposition by those who support such a measure in making sure their teenaged children are well informed and safer. As such it is certainly achievable politically.

The other more substantial problem the federal government would face is again a jurisdictional one, as education is of course exclusively governed by the provinces under section 92 of the Constitution Act. The best the federal government could do on that file therefore would be to provide funds and recommendations to the effect that such material be included. Ontario's program for education on this matter may represent a good starting off point, although as mentioned above respondents did take issue with its formulation in that case. One potential solution to this in turn would be to encourage including frontline service organisations who have institutional expertise about the realities of human trafficking to participate as consultants in the crafting of such a curriculum.

Whatever approach the federal government decides on, it is clear that any future policy needs to be reoriented towards more survivor-centred priorities in the future, at least in the view of the respondents. It is again very noteworthy that the policy itself as outlined on the Public Safety webpage includes a description of the broad societal factors that are largely responsible for pushing individual into human trafficking, yet doesn't contain any measures targeted at remedying these issues. It seems difficult to argue that any given policy has potential for impact or is likely to be effective in resolving a problem when it doesn't attempt to address the causal factors that it itself has identified as being responsible for that problem.

Recommendations:

- Include the department of Women and Gender Equity in the design and implementation processes of any future initiatives meant to counter human trafficking.
- Provide funding for education of youth about realities of human trafficking by making money available to provinces for in-classroom learning workshops.
- Pursue policies such as a universal basic income that will work to redress broader social and economic vulnerabilities.

The Status of Sex Work:

Legitimate sex work and human trafficking are inevitably intertwined issues, the one being the coercive or involuntary form of the other. If the government ever seeks to achieve a more lasting solution to the issue, it needs to clear away the legal ambiguity that currently surrounds sex work and achieve something resembling a national consensus about the role sex work should play in our society. In order to do so, a national conversation needs to be engaged on these issues so that fear, ambiguity, and misinformation can be dispelled from the public mind.

Public ambiguity and misunderstanding about this issue were brought up by nearly every one of the respondents in one form or another. Disagreement surrounding this issue is responsible for the mistreatment of human trafficking survivors on the one hand and the misreporting of data by frontline service organisations on the other. It must also be seen as responsible, albeit indirectly, for the legal loopholes that make it more difficult to convict traffickers, making them in turn more likely to face far less severe prostitution charges.

It is far beyond the scope of this work to make an assessment as to which legal status of sex work would be the most advantageous for reducing human trafficking. What is clear however is that the fact of this issue not being properly resolved either in law, in public discourse, or in the minds of expert practitioners is causing significant inefficiencies and harm across every sector of society that interacts or is affected by human trafficking. The solution to this difficult problem is unfortunately difficult in turn. As mentioned, it may be that the only way to ever properly get to the bottom of the issue is to have a robust national conversation seeking to resolve the necessary questions: Can we accept sex work as a normalised part of our society? What counts as abuse and coercion as opposed to simply mistreatment? Where is the line between human trafficking and sex work?

Recommendations:

- Engage a national conversation about the role of sex work in our society.

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Appendices:

Questions Posed to Respondents During the Interviews:

1. Do you know if your organisation received any additional funding because of the 2019 federal strategy?
2. If so, has it enabled you to increase any of your operations? (increased bed space, greater access to counselling, etc.)

3. What do you believe to be the impact of the human trafficking hotline set up by the government in 2019?
4. What do you believe needs to be the focus of any government human trafficking strategy for it to be most effective? Do you feel the current strategy is in line with these priorities?
5. What is your perception of the current state of human trafficking in Canada in practicality and in public discourse relative to that of other countries in a similar context such as the United States or Australia?
6. Have you perceived any change over the years? Do you expect the federal strategy to have an impact in the long term? If not, what would the government need to do in order to have such an impact?
7. Do you have any other comments or information to add?