

Moving Backwards in the Fight Against Human Trafficking in Canada:

An analysis of and response to the report of the Standing Committee on Justice and Human Rights

Canadian Alliance for
Sex Work Law Reform

Alliance Canadienne pour
la Réforme des Lois sur
le Travail du Sexe

INTRODUCTION ● On December 11, 2018, the House of Commons Standing Committee on Justice and Human Rights (“Committee”) released a report summarizing their four-month long consultation on human trafficking. The Committee met with a variety of groups across the country, some of them working directly with people impacted by human trafficking and anti-human trafficking policy. Sex workers across the country, as people directly affected by anti-human trafficking policy and enforcement initiatives, organized discussions and appearances before the Committee in four of the six cities to which the Committee travelled: Ottawa, Toronto, Vancouver and Montreal.


Throughout the consultation and across the country, sex worker rights groups and our allies provided clear, consistent data and submissions that demonstrated how anti-human trafficking discourse, policy and policing has caused, and continues to cause, human rights violations against people working in the sex industry.

Sex worker rights groups were also clear to distinguish human trafficking from sex work not only in practice and in the language used to accurately reflect people’s experiences, but in policy recommendations as well.

While the Committee claimed that the study was on human trafficking, the discussions rarely veered from “sexual exploitation” or “sex trafficking” — further cementing deeply-held myths that sex work is trafficking itself and overlooking forced labour. The photo of a racialized person’s hands wrapped in chains on the cover of the report is also highly problematic and reinforces myths about human trafficking. This is a highly inaccurate depiction of the complex realities for those victimized by exploitative relationships, who are rarely in physical chains. The image resembles ones used to portray both labour exploitation and slavery, the first of which this report does not address despite it constituting the majority of human trafficking cases in Canada, and the latter is a complete appropriation of the suffering and slavery of Black communities. The report and its recommendations are divorced from the struggles of both labour exploitation and slavery and continue to promote the use of criminal law and other surveillance tools that facilitate exploitation. Much more attention must be given to visual representations of human trafficking in federal documents to avoid setting a sensationalized tone.

In the introductory sections of the report, the Committee recognized and paid lip service to the fact that there is often a conflation between sex work and human trafficking. It acknowledged that “there are distinctions to be drawn between human trafficking and sex work involving consenting adults” (p.25).

The Committee, however, reproduced this problematic conflation throughout its report by failing to position itself on sex work policy, and consequently failing to acknowledge sex work as labour rather than human trafficking.



It is clear that human trafficking is distinct from sex work, and that the Committee recognizes human trafficking as a heinous crime. But the lack of meaningful recognition of sex work produces the same conflation. Most damagingly, the report's official recommendations — which will lead to concrete funding and initiatives — fail to integrate the recognized distinction between sex work and human trafficking and they provide no instruction on how to distinguish sex work and trafficking. While the Committee recognizes that sex work and trafficking are distinct, it continues to conflate them in policy and enforcement. The vast majority of violence and exploitation experienced by sex workers is not human trafficking. The conflation is therefore not only between sex work in a context of great working conditions and trafficking, the Committee also conflates trafficking with a wide range of other human right violations, criminal offences, targeted violence, socio-economic realities, systemic discriminations and the realities of working without access to the same labour protection as other industries.

One cannot address human trafficking without also addressing the criminal laws relevant to sex work, which include measures against trafficking. Because of this omission in the report, the anti-trafficking initiatives that the Committee recommends are inherently anti-sex work and encourage the same kind of over-surveillance, over-policing and funding for law enforcement that currently alienates sex workers from not only police but community supports as well. In this way, all **sex workers are negatively impacted by anti-human trafficking efforts.**

In section 2.1 of their report, the Committee states: “Some witnesses were of the view that sex work should not be considered separately from sex trafficking as they believed that sex work is inherently violent and, therefore, a form of exploitation” (p.16) and provides several examples of very clear ideological conflation of sex work and trafficking. In that section, the Committee correctly identifies how those witnesses' true ideological and political agenda is the elimination of sex work and that, for them, discourse around human trafficking is merely a strategic tool used to reach that goal. Instead of dismissing these witnesses as biased and disconnected from the subject at hand, the Committee relied entirely on their testimony to craft their recommendations. Anti-sex work witnesses before the Committee were very clear about their intention to eradicate sex work establishments; the recommendations reflect this anti-sex work sentiment and clearly lay out a series of actions that have been demonstrated to cause harm to sex workers.

The recommendations from the Committee explicitly ignore the evidence provided by sex worker rights groups on the harmful impacts of anti-human trafficking efforts and fail to recognize sex workers as the primary targets of anti-trafficking initiatives, and therefore as primary stakeholders.

Sex workers, as people situated within the industry who have been singled out as trafficking victims and as harbourers of trafficking victims, are vital to discussions and efforts to address human trafficking. The Committee instead makes recommendations that specifically target public and private spaces that people who sell or trade sex occupy. **Despite the insistence from the Committee that it is not taking a position on sex work policy,** the recommendations implicitly support the current criminalization of sex work and sex workers' labour, and promote dangerous and pervasive oversurveillance that also underscores current criminalization regimes. The Committee is, as a result, furthering the harms of anti-trafficking initiatives.

The Committee explicitly states that it “does not take any position regarding the legalisation or decriminalization of prostitution or the relationship between the sex industry and human trafficking as this is beyond the scope of this study” (p15).

The failure to concretely distinguish between sex work and human trafficking and to position itself on the human rights of sex workers has resulted in a series of recommendations that will result in human rights violations against sex workers.

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THE CONSULTATION ● In June 2017, the House of Commons Standing Committee on Justice and Human Rights voted to conduct a parliamentary study into all forms of human trafficking, “including sexual exploitation and forced labour”. In light of the conclusion of Public Safety Canada’s 5-year National Plan to Combat Human Trafficking, the Committee’s consultations were held alongside ones organized by Public Safety Canada, to renew this plan.

Motivations for the consultation were diverse, but the context in which it occurred cannot be ignored. The consultation took place in the midst of the National Inquiry into Missing and Murdered Indigenous Women and Girls, an Inquiry that was rife with anti-sex work sentiment and reference to human trafficking to describe the violence that Indigenous women experience.

Despite the fact that Indigenous women who sell or trade sex are often miscategorized as trafficked and experience violence because of police antagonism, over-surveillance and over-policing, the Committee recommended more policing in Indigenous women’s lives.

The assumption that all Indigenous women who sell or trade sex are trafficked has blurred the reasons people sell sex and is a lost opportunity to understand and address the ways that poverty impacts Indigenous women. Indigenous women who identify their sex work in terms of decision-making or agency are heavily silenced because of or at least in part by the “victim narrative” that has been imposed on them and they risk rejection from their community and families if they are visible about their sex work. The idea that something must be inherently wrong with a woman who discusses choice or agency in terms of sex work is magnified within the context of this victim narrative. This is even more so for Indigenous women, who are often accused of having a “false consciousness” in relation to the decisions they make to sell or trade sex in the context of poverty and colonialism.

The consultation also took place amidst a global anti-immigration sentiment that often promotes unwanted visits and raids on sex work establishments in the name of anti-trafficking efforts. These enforcement actions are carried out in collaboration with Canada Border Services Agency (CBSA) who have consistently arrested, detained and deported migrant sex workers. Anti-human trafficking efforts such as these have highly negative consequences for sex workers who avoid law enforcement due to precarious immigration status as well as potential conflict with numerous sex work-related laws and prohibitions.

The agreement that Committee members made with each other at the outset of the report, “that minors involved in the sex industry are victims of sexual exploitation” (p. 15) negates the complex realities that many youths live, including youth who have fled families, group homes or other institutions and are often seeking to create communities for support and survival. Members of these communities can be falsely targeted as traffickers, particularly people who are Indigenous, Black or racialized.

Like Indigenous, Black, racialized and migrant sex workers who experience over-surveillance and over-policing as antagonistic and alienating, youth are harmed by sweeping anti-human trafficking initiatives that assume at the outset that they are exploited and that contact with law enforcement is experienced as a source of protection, rather than harm.

Sex workers across Canada have suffered the brunt of over-policing, over-surveillance, arrest and deportation from human trafficking initiatives that have deepened antagonism between law enforcement and sex workers. This has had the effect of isolating sex workers from mainstream supports, and making sex workers more vulnerable to violence, exploitation and other human rights violations.

In an effort to draw attention to the impacts of anti-trafficking policies, sex worker rights groups across the country organized small meetings in four of the cities that the Committee visited, and some attended the other meetings held in those cities as well. Six sex worker rights groups made individual submissions to the Committee, in addition to various human rights allied organizations and individuals including the Canadian HIV/AIDS Legal Network, Pivot Legal Society, Immigration Legal Committee, Chinese and South Asian Legal Clinic, Aboriginal Legal Services, and Professor Marianna Valverde with 14 colleagues. However, the recommendations that we made to the Committee to recognize the deleterious effects of anti-human trafficking campaigns on sex workers were not included in the Committee’s official recommendations.

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THE RECOMMENDATIONS: GLARING OMISSIONS

● Despite the numerous accounts and testimonies that the Committee received from sex workers across the country about the harms of anti-trafficking initiatives, none of the report’s 16 recommendations address these harms or the impacts of overzealous law enforcement on the lives of people assumed to be trafficking victims (i.e., people working in the sex industry), nor do they address the way the criminalization of sex work creates favourable conditions for violence and exploitation, including human trafficking. Conflations of sex work and human trafficking are rampant throughout the recommendations. While the report is clear when it states that there is a dire need for “improved data” (p. 27), it nonetheless recommends more funding for baseless initiatives without that data, which is an irresponsible precedent to set.

The recommendations also suggest training across various sectors which encourages much of the racial and social profiling that is inherent to anti-immigration policy and which underpins many of the law enforcement initiatives against human trafficking.

Trafficking “detection” tools are often based on racist, classist and sexist ideologies about people who work in the sex industry.

These programs place youth and people who are Asian, migrant, Indigenous, and racialized at risk of being surveilled and approached by law enforcement and subsequently at increased risk of human rights abuses.

All of the recommendations encourage increased surveillance from social, legal, private and other institutions used by members of the public, including sex workers. This surveillance continues to break trust and increase sex workers’ suspicion of hotel staff, travel industries, law enforcement, social services and others who are called upon to socially profile us. This surveillance alienates and isolates people who are victims of violence and does not help detect exploitation or make it more visible.

The Standing Committee on Justice and Human Rights has failed miserably to address the ideology of sex workers as inherent victims and the consequent, alleged need to surveil public and private spaces where sex workers sell or trade sex -- that pervade the recommendations.

The Committee claims to talk about human trafficking but instead refers to “sexual exploitation” — often used as a synonym for sex work — and as a result makes recommendations that target sex workers. In doing so, they also victimize Indigenous women, migrant women and youth who sell or trade sexual services by assuming exploitation without recognizing the contexts in which people sell sex. This is further exacerbated by the Committee’s refusal to explicitly recognize sex work as work.

Perhaps most importantly, the report and its recommendations do not address distrust and fear of law enforcement by sex workers in any substantive way, which is in large part why Indigenous, Black, migrant, youth, trans and racialized sex workers and sex workers who use drugs experience the highest rates of violence.

Instead, the report uses the language of “traffickers manipulating women into distrusting the police” without addressing the systemic barriers to reporting and/or the individual and collective experiences with law enforcement that have led to communities’ distrust of police. For example, when acknowledging Indigenous women who sell or trade sex, it is impossible to ignore the fact that the women who are the most targeted by aggressors, exploiters and even traffickers are the same women who are the most at risk of being incarcerated and targeted by police. The Committee was unable to grasp that sex workers more often than not need protection from police, rather than by police.

We have taken the time to unpack a few of the more problematic recommendations below.

RECOMMENDATION 1 – Increasing Awareness

This parliamentary study failed to distinguish between sex work and human trafficking and as a result continues to promote the conflation of the two. Without a clear mandate to make this distinction, the recommendation to increase awareness and scope of targets for education promotes a moral panic around sex work and around human trafficking. Funding is often provided in these contexts to anti-sex work groups who carry out anti-sex work campaigns. Careful examination of the political and ideological motivations of any group funded to create and promote such campaigns is necessary. This recommendation needs to address the conflation and organize its awareness campaigns accordingly. The Committee recognizes that data is lacking and that there is a need to more precisely define trafficking. Before raising awareness on any issue, there is a responsibility to clearly define it and identify clear objectives.

RECOMMENDATION 3 – Preventing Victimization of Migrant Workers

This recommendation encourages racial profiling of communities, particularly Asian, Black and Indigenous communities who access airlines, buses and other means of transport. It encourages the over-surveillance of communities and exacerbates antagonism for migrants at borders. Rather than encourage the CBSA to engage people they assume to be trafficked, we suggest that CBSA receive community-informed anti-racism awareness training, which can equip officers with the knowledge and skills to refrain from racial profiling. CBSA should also be removed from anti-human trafficking campaigns in order for migrants to be able to seek help without fear of arrest and deportation.

Moreover, the complete omission of migrant sex workers’ recommendations to repeal Immigration and Refugee Protection Regulations (sections 183(1)(b.1), 196.1(a), 200(3) (g.1) and 203(2)(a)) — that discriminate against and endanger the safety of migrants who work in the sex industry — is further evidence of the Committee’s refusal to integrate any recommendation put forward by sex worker groups.

RECOMMENDATION 4 – Appropriate Training of Stakeholders

Training of “stakeholders” like nurses, medical professionals, immigration officers and police officers to detect human trafficking has historically included “key indicators” that promote racist and sexist ideology and infantilize women. These “indicators” are so broad that they have rendered themselves useless because they apply to anyone, from women sitting alone in bars or restaurants to racialized fathers travelling with their daughters. Both sex workers and non-sex workers have reported to our member groups an interruption of service or being stopped by said professionals to question their presence in certain locations or to determine whether they are experiencing violence.

Training nurses and medical staff to detect trafficking not only prevents people who are avoiding discovery of their precarious immigration status or work in a criminalized and stigmatized industry from accessing services but also renders health services a point of investigation, rather than a point of care.

The Public Health Agency of Canada and other government agencies concerned with health have identified access to adapted health care services for sex workers as a major component of fighting against HIV and other STBBIs, especially in a context of criminalisation. The Committee’s recommendations take us back several decades and increase sex workers’ vulnerability to HIV.

The premise of ‘See something, Say something’ is problematic. It is of the utmost importance that women experiencing violence or exploitation are able to come forward and report when and if they choose, but this decision should be made by the individual, not determined by an intervention from an outside source. Studies have shown that a primary barrier that women face when reporting violence is the stigmatization they experience when they talk about violence. Training should educate practitioners on the inequalities and ideologies that promote violence and how their own systems work to perpetuate that violence, rather than singling out certain communities as victims in need of rescue.

The focus of many witnesses on training civil society actors to become anti-trafficking vigilantes needs to be understood as part of their ideological quest to eliminate all sex work and build support for continued criminalization, in a context where the idea that all sex work is exploitation is losing public support.

RECOMMENDATION 6 – Financial Reports

The recommendation that the Financial Transactions and Reports Analysis Centre of Canada [FINTRAC] develop ways to detect suspicious activity is not only stigmatizing for people who earn their money through sex work, but dangerous as it risks profiling certain communities.

FINTRAC already targets sex workers by forcing financial institutions to report certain transactions under the guise of anti-trafficking. The criteria used to identify suspicious transactions focus solely on sex work and are very clearly designed to detect sex workers, not "traffickers". FINTRAC guidelines encourage financial institutions to use "gut feelings" and "hunches" and some of the things they consider red flags include¹:

- online advertising for escort services;
- multiple hotel room bookings;
- lingerie and make-up purchases;
- purchases at strip clubs or massage parlours;
- Rent payments: for addresses where prostitution is reported to occur by media, law enforcement, or classified ads;
- cash deposits, especially between 10pm and 6am;
- frequent transfers from third parties with "no apparent reasons";
- Email money transfers to third parties with alternate names provided in brackets [e.g. jane@example.com (Bambi)];
- Financial activity is inconsistent with that expected based on one or more of the following: the client's financial status, stated occupation, type of account or stated business activity; and
- Clients give contact/identifying information that is traceable through open sources to advertising related to escort services.

This type of surveillance is a clear violation of sex workers' human rights. It promotes racial and social profiling and makes it harder for sex workers to use banks, which can drastically increase their vulnerability and further isolate them from mainstream society. Being forced to use only cash can make every aspect of one's life much harder. From being unable to find an apartment because they can't pay via cheque, to being unable to declare income and take advantage of government benefits, to being targets of robberies, to being unable to obtain credit cards, the harms of this type of surveillance are far-reaching and can drastically reduce sex workers' living and working conditions. Being unable to accept electronic payments can also limit sex workers' options and reduce their control over their working conditions.

The Committee's recommendation to promote and expand this program clearly demonstrates a lack of concern for sex workers' human rights and the continued conflation of sex work and trafficking.

¹ <http://www.fintrac-canafe.gc.ca/intel/operation/oai-hts-eng.pdf>

RECOMMENDATION 8 – Parameters and Definition of Human Trafficking

We commend the Committee for its desire to establish parameters for the definition of human trafficking. We caution the Committee, however, not to adopt the definition of human trafficking in the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children that problematically includes "the exploitation of the prostitution of others" in its definition, further conflating sex work and human trafficking. Witnesses before the Committee established that sex work is not exploitation in and of itself, yet the underpinnings of the current sex work-specific criminal provisions demonstrate that the "exploitation of the prostitution of others" will likely be interpreted to capture any third party who may incur a financial profit in the context of sex work. Stigma and criminalization associated with the sex industry fuels the demonization of such employment services and associations — services that are not only acceptable and encouraged in other labour markets, but are fundamental to sex workers' physical and economic security.

RECOMMENDATION 9 – Data Gathering and Information Sharing

Encouraging or mandating stakeholders, including non-governmental organizations (NGOs), to release confidential and sensitive information that is not based on evidence is extremely problematic. Evidence has demonstrated that NGOs often use definitions of trafficking to fulfill funding standards (see submissions by Julie Kaye¹ and the Canadian Women’s Foundation² to the study). If an organization functions on the premise that people who sell sexual services are inherently or predominantly trafficked, people who either do not meet definitions of trafficking or do not identify as being trafficked will continue to be erroneously reported by certain NGOs as “trafficked victims.”

This kind of reporting will continue to provide an inaccurate portrayal of human trafficking in Canada and is inevitable unless organizations are provided clear and evidence-based instruction on how to distinguish sex work and trafficking, and unless funding focuses on providing support and prevention without being contingent on human trafficking victim quotas.

Collection of information from NGOs may also create barriers for sex workers to access services for fear of disclosing information that can be shared with law enforcement. If reporting becomes mandatory and based on problematic definitions, this may result in organizations led by and for sex workers and other organizations working from a human rights or harm reduction approach losing funding or facing other consequences.

² <https://www.ourcommons.ca/DocumentViewer/en/42-1/JUST/meeting-100/evidence#Int-10175572>

³ <https://www.ourcommons.ca/Content/Committee/421/JUST/Brief/BR10005778/br-external/CanadianWomensFoundation-e.pdf>

RECOMMENDATION 10 – National Hotline on Human Trafficking

Without a recommendation to provide education based on empirical evidence to the public about the differences between human trafficking and sex work, and without a common definition of human trafficking that prevents confusion and conflation with sex work, a national hotline that encourages members of the public to make anonymous tips is extremely problematic. This can be used against sex workers to reveal their presence to law enforcement, causing sex workers to work further “underground.” Sex workers will attempt to conceal themselves and their work from members of the community and public, in addition to law enforcement. This prevents them from working in ways that ameliorate their security and working conditions and therefore fosters conditions that increase their vulnerability to violence and exploitation. The promotion of such hotlines may also open a new avenue for blackmail or extortion of sex workers through threats of reporting them anonymously. The continued promotion of the idea that sex workers can be victims even if they do not identify as such increases the risk of negative consequences of any report as simple confirmation from the potential victim that they are not a victim may not be sufficient to prevent investigations, arrests, deportations or other disruptions. Any action involving the public needs to be accompanied by evidence-based

public education about sex work and human trafficking. Chapter 4 of the report includes official recommendations for public awareness and education, but fails to include sex worker groups' recommendation that this education must be based on empirical evidence. The report's inclusion of sex workers' call for evidence-based education within section 4.1.3 of the report merely provides lip service as it is omitted from the report's final Recommendations 1 to 4 (page 39). Funding for such campaigns should be provided to sex worker rights groups to lead this education to help address exploitation.

RECOMMENDATION 12 – Special Events

There is no evidence to suggest an increase of human trafficking during “special events”; there is in fact a lot of evidence to the contrary.

In particular, sporting events are often targeted by media, politicians and anti-trafficking groups as an opportunity to promote the use of law enforcement and over-surveillance. The Global Alliance Against Traffic in Women has demonstrated that these efforts have proven extremely dangerous for people working in the sex industry⁴ and other studies also demonstrate that increased human trafficking during special events (Germany World Cup 2006⁵⁶; Vancouver Olympic Games 2010⁷; UEFA European Football Championship 2012⁸, to name a few) is a harmful myth.

⁴ <http://www.gaatw.org/publications/WhatstheCostofaRumour.11.15.2011.pdf>

⁵ <http://www.nswp.org/sites/nswp.org/files/mrs29%5B1%5D.pdf>

⁶ https://www.oecd-ilibrary.org/migration/trafficking-in-human-beings-and-the-2006-world-cup-in-germany_2fb3af8a-en

⁷ <http://vancouver.ca/police/assets/pdf/reports-policies/report-human-trafficking-2010-games.pdf>

⁸ <http://lastradainternational.org/lisidocs/Disourse%20on%20prostitution%20and%20human%20trafficking%20in%20the%20context%20of%20UEFA%20EURO%202012.pdf>

RECOMMENDATION 17 – Creating Self-Governance within the Hospitality Industry

Similar to recommendation #4, industries and institutions are using indicators of human trafficking that are extremely problematic. What these indicators do not consider is the unacknowledged role and complex interplay of gender, race, ethnicity, language and culture in creating these ‘red flags’; these indicators single out individuals from specific, marginalized communities rather than specific traits. In addition, in the absence of a common definition of human trafficking, the indicators are baseless.

Monitoring and surveilling hotels and other public spaces should not be encouraged, as this will discourage hotels from renting space to sex workers and/or clients, leaving sex workers fewer options of safer indoor spaces to work. Surveilling initiatives like this already underway in Marriott hotels⁹ have isolated sex workers and clients, encouraging them to find less visible locations to work, which increases vulnerability to violence and exploitation by state and non-state actors.

⁹ <https://www.theglobeandmail.com/canada/article-hotel-chains-training-staff-to-spot-victims-of-human-trafficking-in/>

CONCLUSION ● Like workers in other sectors, sex workers can be victims of human rights violations, including human trafficking. But like workers in other sectors, and as the Committee points out in its report, not all sex workers are victims of human trafficking. Furthermore, not all violence and exploitation within the sex industry is related to trafficking. Sex workers who are trafficked need to be able to access the same supports as people trafficked in other labour sectors. Sex workers who experience violence and exploitation not linked to trafficking also need to be able to access the same supports as people working in other industries. This requires us to understand sex workers’ realities from a human rights and personal safety lens, rather than a focus on criminality, morality and victimhood. It is only when sex work is not perceived as exploitation that sex workers’ human rights — including their personal safety and working conditions — can be recognized and respected. Initiatives and recommendations that encourage mistrust, suspicion, surveillance and disdain of the sex industry continue to promote harm against sex workers.

Recommendations: A Human Rights Response to Human Trafficking

Below we provide a series of recommendations that are based in a human rights response to human trafficking with the support and inclusion of people working in the sex industry.

1. Provide resources and support to sex workers and sex worker rights organizations to address human rights violations.

Sex workers and sex worker rights organizations are in constant contact with people working in the sex industry and are best placed to support sex workers who are experiencing human rights violations. Because of profound stigma, in addition to fear of law enforcement, discrimination, violence and exclusion, sex workers are more likely to turn to sex workers and sex worker organizations for support.

Sex worker-led human rights organizations understand how systemic injustices prevent sex workers from accessing the supports required to resist the conditions that increase our vulnerability to violence and exploitation and we know what we need to do to combat these injustices.

Sex worker-led organizations know how to directly provide services that are safe, relevant and accessible to other sex workers. They hold the knowledge and experience to best determine what services sex workers need, and how these services should be implemented.

2. Invest in community initiatives run by and for people working in the sex industry that are non-directive and based in human rights, and not focused on “exiting” sex work.

Programs contingent on people stopping or “exiting” sex work or that have eligibility requirements fail to address the complexity of sex workers’ lives. As explained above, community-led initiatives are best informed to provide concrete and relevant supports to community members who are experiencing, or who are vulnerable to, violence and exploitation. These supports should include actions to:

- Invest in Indigenous community initiatives, migrant sex worker initiatives, and youth-based initiatives that are seeking to address homelessness, poverty and provide services directed by sex workers;
- Implement harm reduction approaches that require authorities to use the least intrusive approach towards communities with an emphasis on preserving their community and upholding their rights;
- Recognize that apprehension, detention and involuntary rehabilitation are often experienced as antagonistic and often traumatic;
- Recognize that returning youth to their family of origin may not be in their best interest, particularly for those who are abused or experiencing violence in those families — alternative living arrangements must be considered in those situations;
- Implement approaches that are sensitive to the realities and needs of Indigenous youth;
- Implement measures and services that support and empower young people;
- Provide adequate training to police, prosecutors and other law enforcement officers about the differences between sex work and human trafficking; and
- Re-envision and re-create “tool kits” intended to “spot trafficking victims” – instead, create guidelines for support in consultation with communities. Ensure that human trafficking information and training is evidence-based.

3. Remove laws that increase sex workers’ contact with police, or laws that mandate police to monitor sex workers and work spaces. This includes:

- Decriminalize sex work by removing all sex work-specific criminal provisions, including residual s. 213 prohibitions and provisions introduced through the Protection of Communities and Exploited Persons Act;
- Remove specific immigration regulations and work permit conditions that prohibit migrant women from working in the sex industry (including repealing the IRPR ss. 183(1)(b.1), 196.1(a), 200(3) (g.1) and 203(2)(a));
- Urge the government to stop raids, detentions and deportations of sex workers; and
- Ensure CBSA is never involved in anti-trafficking investigations.

Some Recommended Readings

Kaye, J. (2017). *Responding to Human Trafficking: Dispossession, Colonial Violence and Resistance Among Indigenous and Racialized Women*. Toronto, ON: University of Toronto Press.

Lam, E. (2018). *Behind the Rescue: How Anti-Trafficking Investigations and Policies Harm Migrant Sex Workers*. https://docs.wixstatic.com/ugd/5bd754_bbd71c0235c740e3a7d444956d95236b.pdf

Millar, H., O'Doherty, T & SWAN. (2015). *The Palermo Protocol & Canada: The Evolution and Human Rights Impacts of Canada's Anti-Trafficking Laws in Canada (2002-2015)*.

<https://icclr.law.ubc.ca/wp-content/uploads/2017/06/Palermo-Project-Key-Findings-Report-15-October-2015-with-copyright-2.pdf>

O'Doherty, T., Millar, H., Clancey, A. and Mackenzie, K. (2018). *Misrepresentations, Inadequate Evidence and Impediments to Justice: Human Rights Impacts of Canada's Anti-Trafficking Efforts*. In E. M. Durisin et al. (Eds.), *Red Light Labour*. Vancouver, BC: UBC Press.

SWAN Vancouver. (2014). *Im/migrant sex workers, myths and misconceptions: Realities of the Anti-Trafficked*. <http://swanvancouver.ca/wp-content/uploads/2014/01/Realities-of-the-Anti-Trafficked.pdf>

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The Canadian Alliance for Sex Work Law Reform formed in 2012 and is composed of sex worker rights and allied groups and individuals in cities across Canada: Calgary, Edmonton, Hamilton, London, Longueuil, Montreal, Kingston, Québec, Sault Ste. Marie, St. John's, Toronto, Vancouver, Victoria, and Winnipeg. Members work together to fight for sex work law reform, sex workers' rights, and community well-being.

Member groups include: Angel's Angels (Hamilton); Action Santé Travesties et Transexuel(le)s du Québec (ASTTeQ) (Montréal); BC Coalition of Experiential Communities (Vancouver); Angel's Angels (Hamilton); Butterfly Asian and Migrant Sex Workers Network (Toronto); Canadian HIV/AIDS Legal Network (Toronto); Downtown Eastside Sex Workers United Against Violence (SWUAV) (Vancouver); Émissaire (Longueuil); FIRST (Vancouver); Maggie's Toronto Sex Workers Action Project (Toronto); Maggie's Indigenous Sex Workers Drum Group (Toronto); Migrant Sex Workers Project (Toronto); PEERS (Victoria); Projet Lune (Québec); Prostitutes Involved Empowered Cogent Edmonton (PIECE) (Edmonton); Providing Alternatives, Counselling and Education (PACE) Society (Vancouver); Rézo, projet travailleurs du sexe (Montréal); Safe Space (London); Safe Harbour Outreach Project (S.H.O.P.) (St John's); Sault Ste. Marie Sex Workers' Rights (Sault Ste. Marie); Sex Professionals of Canada (SPOC); Sex Workers Advisory Network of Sudbury (SWANS) (Sudbury); Stella, l'amie de Maimie (Montreal); Stop the Arrests! (Sault Ste. Marie); Strut! (Toronto); Supporting Women's Alternatives Network (SWAN Vancouver); HIV Community Link Shift Program (Calgary); West Coast Cooperative of Sex Industry Professionals (WCCSIP) (Vancouver); Sex Workers of Winnipeg Action Coalition (Winnipeg).