



September 6th, 2022

Re: Evidence-based approaches to address trafficking

Dear Mayor/ City Councilor,

We are contacting you today from Living in Community, a non-profit organization working across British Columbia, as well as on behalf of all of the signatories of this letter.

We are writing to provide you with information about how local governments can best protect your residents from trafficking and exploitation while also upholding the rights of those who choose to work in the sex industry.

In recent months, there has been an increase in concern about human trafficking for the purpose of sexual exploitation here in our province. This concern about the wellbeing of children, youth, and vulnerable people is well-intentioned and comes from a good place.

This summer, a resolution, titled "Youth and Child Sex Trafficking in Canada[1]," was proposed to the 2022 Union of BC Municipalities (UBCM) Convention this month. This resolution calls for the RCMP, city police forces, and local governments to address trafficking through a number of actions that will be discussed later in this letter. This resolution was not submitted for decision at Convention, as the recommendations it asks to be implemented have expired, so it was referred back to the sponsor. However, this resolution provides an opportunity to discuss the topic of trafficking and investigate which solutions would be most impactful.

We share the intention of preventing youth and children from being exploited or trafficked for any purpose, including for the purpose of sexual exploitation, and further in this letter we provide recommendations on evidence-based approaches to achieve this goal.

However, many actions often called for when it comes to trafficking, including those in this resolution, are misguided. These actions will not reduce youth or child trafficking for the purpose of sexual exploitation and will cause harm to adults consensually working in the sex industry whose rights must also be upheld.

Definitions and Background

First, it is important to ensure that the definitions we are using are correct and informed. When speaking about trafficking, conflation often occurs among sex work, sexual exploitation, and human trafficking for the purpose of sexual exploitation. Furthermore, victims of trafficking in sectors other than the sex industry are often forgotten.

The United Nations defines human trafficking as "the recruitment, transportation, transfer, harbouring or receipt of people through force, fraud or deception, with the aim of exploiting them for profit." [2] Industries where trafficking is known to occur include: agriculture, construction, electronics manufacturing, mining, fishing, forestry, hospitality, housekeeping and janitorial services, the sex industry, textile and apparel



manufacturing, transportation, and warehousing, among others. Human trafficking can also involve the removal of organs.

Over time, the blanket term 'human trafficking' has become increasingly used by those speaking solely about human trafficking for the purpose of sexual exploitation, and also to refer to any type of involvement in the sex industry, which is legally incorrect and harmful from a policy and practice perspective. In this way, 'human trafficking' becomes a catch-all label to describe many issues. While it may include aspects of the following, human trafficking is not in and of itself: unhealthy teenage relationships, intimate partner violence, sexual assault, child abuse, pedophilia, pornography, sex work, child or youth sexual exploitation, or sexting, among others.

In contrast, we define *sex work* as the exchange of money or goods for sexual services among consenting adults. Doing sex work as a consenting adult is legal in Canada. By speaking about the entire sex industry as human trafficking, not only are sex workers' voices and needs ignored, but less support, resources, and services are available for real victims of trafficking, in all sectors.

This is not just semantics. When misguided approaches to anti-trafficking permeate mainstream law enforcement and policy efforts to combat human trafficking, it leads to the criminalization of sex work, subsequently driving sex work underground. This creates unsafe working conditions, prevents sex workers from reporting violence when it does occur, makes it hard to identify true victims of human trafficking, and actually creates further systemic vulnerabilities to trafficking and exploitation. Furthermore, many campaigns against and depictions of trafficking rely on racist tropes[3] that use shock and hyperbole, which – in addition to perpetuating harmful stereotypes – may make it harder to secure convictions[4] in criminal trials because real life cases are not meeting the simplistic standards laid out by these understandings of trafficking.

It is also important to understand the scale of the problem we are discussing. Speaking specifically about trafficking in persons, this crime accounts for a very small proportion of criminal activity in Canada – 0.02% of all criminal incidents reported to police in 2016[5]. Millar and O'Doherty (2020) were able to verify only 92 prosecuted trafficking in persons cases between 2006 and 2018; of these 92 cases, only 45 resulted in one or more trafficking-specific convictions.[6]

Much is already being done about human trafficking for the purposes of exploitation in BC and across Canada. Canada already has federal laws governing human trafficking and exploitation, and the Province of British Columbia – along with other provincial governments, police forces, and RCMP divisions – is aware of human trafficking. The BC Office to Combat Trafficking in Persons coordinates "services for trafficked persons in British Columbia, [identifies] gaps and barriers that a trafficked person may encounter when accessing protection and services in British Columbia, [and contributes] to local, national and international efforts, including prosecutions, to prevent human trafficking." [7]

The Need for Clarity

When broad and ill-defined discussions are had about human trafficking, it becomes easy to call for more to be done. Of course we all want to protect children, youth, and vulnerable people from exploitation, and of course we want to prevent trafficking from occurring.



However, we need to ensure we are calling for actions that are clear, evidence-based, and effective. Unfortunately, often the actions called for do not meet these criteria. To take this UBCM resolution as an example:

- This resolution calls for “the RCMP, city police forces and local governments to work collaboratively in order to implement the recommendations found in the Federal National Action Plan under Federal Public Safety.”[8] This resolution references the federal Ministry of Public Safety’s 2012 report, “National Action Plan to Combat Human Trafficking[9],” which has expired as there is a more recent report from this ministry. This report is the “National Strategy To Combat Human Trafficking 2019-2024[10]” which, in addition to being a different report than the one named in this resolution, does not include recommendations, so it is unclear which recommendations this resolution would seek to implement even if it referred to this report.
- This resolution also calls for the implementation of “Provincial Awareness Campaigns.”[11] This does not specify what the campaigns would seek to raise awareness about, who (which governments, ministries, departments, etc) would be involved, or where funding should come from to achieve this.
- Finally, this resolution also calls for the creation of “Inter-Agency Task Forces.”[12] It does not specify which agencies would be part of these, what these task forces would hope to accomplish that governments and police forces are not already doing, who would be responsible for leading this, or where funding should be allocated from.

This resolution is just one example of a good intention that will not work in practice. Without clarity on which specific actions are being called for, how they would be implemented, why they are different from existing campaigns and policies already in place, or why they would be effective, it is difficult for decision-makers to move forward.

Evidence-Based Solutions

Instead of general awareness campaigns, more research, or the implementation of policies that would cause more harm to both sex workers and victims of trafficking, we recommend the following:

Recommendations

1. **Support a decolonial approach to responding to those most marginalized and stigmatized in our communities.**

Decolonizing means, among other processes, questioning why we respond to health and safety issues with criminal justice approaches. In this case, a decolonial approach would be one that reduces the interference from police and the government in the lives of consenting adults.

Rather than more police presence, we recommend working with local sex workers’ rights organizations, Indigenous organizations, and other community stakeholders in your area to identify which services, supports, and preventative measures your government could take to uphold peoples’ rights. Often, this may look more like providing funding for the types of services



described below, reconsidering how your bylaws are written or enforced, or educating your city or policing staff about sex work stigma.

2. Support peer-led, person-centered services.

The work of Living in Community, and of many signatories to this letter, can attest that paternalistic approaches to providing services does not work. What works better is building up survivor-led, peer-based services and supports whereby those impacted by a particular issue have leadership in deciding how the program or service should run. Those with lived experience know best what helped them and what could be helpful to others in a similar situation.

Providing services in this way means they must be person-centered, which means that the person coming to use the service has their autonomy and decision-making ability respected and upheld. When this approach is not used, anti-trafficking service providers may inadvertently reinforce the same 'victim' identity the trafficker has exploited. Unfortunately, when it comes to anti-trafficking services, all too often the service provider imposes what they would do themselves, largely unaware of how their privilege, identity, and/or access to services can be significantly different than that of the person they are serving. Getting out of an exploitative situation can be a slow process. A person may need time to ensure that the necessary supports and protections are in place in order to not enter into another precarious situation.

One such peer-led and person-centered project is the BC Bad Date and Aggressor Reporting project (BC BDAR)[13], which is coordinated and created by sex workers across BC. Supporting a community-informed project such as this is a much better way to express and act upon any concern you may have for the safety of individuals in your community.

3. Support community-led responses rather than top-down enforcement.

As elected officials representing communities of diverse sizes, locations, climates, populations, and interests, you understand that imposing one top-down solution that must work for everyone has its challenges. Similarly, enforcing one type of anti-trafficking response across the board is inappropriate.

A better response is to convene and work with the frontline service providers in your own community to hear from them directly about the needs of the most marginalized and vulnerable in your community, and to collaborate together on locally-specific solutions. The Living in Community model is all about bringing diverse voices together to collaborate toward joint change, and we would be happy to meet with you to discuss our model further.

Our Calls to the Provincial Government

In addition to the above recommendations for local governments, Living in Community has recommendations for the provincial government. If local governments in BC would like to engage in a collective effort to call on more to be done provincially, we recommend:

1. **Provide increased funding for frontline organizations across BC that deliver peer-led and person-centered programming.**
2. **Provide funding toward the provincial Bad Date and Aggressor Reporting system which is being developed.**

In August 2022, the Province's Select Standing Committee on Finance and Government Services included these two recommendations in its report and directives for the 2023 provincial budget.




We all care about vulnerable children and youth, and we all want to ensure that young people are protected from harm. In this case, that harm includes misguided approaches which do not address the root of the problem and instead impose more government and police intervention into the lives of individuals. Rather than spending more government resources in avenues that are arguably ineffective, the approach must be to increase local access to safety, health, justice, and other services for both sex workers and victims of trafficking.

We have included with this letter a short information sheet summarizing the harms of criminal justice approaches to trafficking, such as those called for in this UBCM resolution, and the types of approaches we recommend instead.



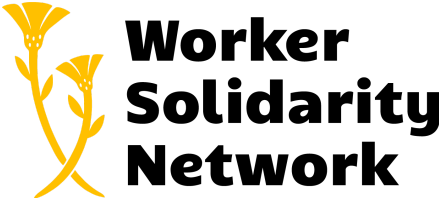

Sincerely,

 <p>BC BDAR BC Bad Date & Aggressor Reporting Project</p>	<p>The BC Bad Date and Aggressor Reporting (BC BDAR) Project is a three-year project to create a province-wide bad date reporting system for sex workers across BC.</p>	<p>Province-wide</p>
 <p>bcgeu BC GENERAL EMPLOYEES' UNION</p>	<p>The BCGEU is one of the largest and most diverse unions in British Columbia with over 85,000 members in the public and private sector.</p>	<p>Burnaby</p>

	<p>The BC Poverty Reduction Coalition is comprised of over 100 organizations and community mobilizations that come together to advocate for public policy solutions to end poverty, homelessness and inequality in B.C. We aim to improve the health and well-being of all living in British Columbia. The Coalition advocates for a targeted and comprehensive poverty reduction strategy that prioritizes equity-seeking groups, and a whole government, cross-ministry approach to ending poverty. Our work is grounded in the foundation of universal human rights.</p>	<p>Province-wide</p>
	<p>Health Initiative for Men supports the health of GBQ men and gender diverse people.</p>	<p>Vancouver</p>
	<p>Hope Okanagan provides night time outreach for women doing street-based sex trade.</p>	<p>Okanagan</p>
	<p>Ishtar Women's Resource Society (IWRS) provides support to women and children impacted by violence in relationships in Langley and Aldergrove BC. Since our founding in 1973, IWRS has been committed to preventing and ending the cycle of abuse through an expanding set of programs responding to the unique and evolving needs of survivors.</p>	<p>Langley</p>
	<p>MoveUP represents more than 12,000 union members at public and private sector companies across Canada, primarily in British Columbia, in many of the industries and professions fundamental to our economy including at BC Hydro, FortisBC, ICBC, Capilano University, transit providers, credit unions and car rental companies. We are a diverse and socially responsible union, working together with many community</p>	<p>Burnaby</p>

	groups to ensure the public and elected government representatives are aware of the benefits that unions bring to the economy of BC.	
	The New Westminster & District Labour Council (NWDLC) is a community-based central labour organization representing trade union members at the local level. We continue the proud union tradition of workers acting and speaking out on issues affecting them in their workplaces and in their communities.	Metro Vancouver
	Peers Victoria Resources Society provides peer-led services to sex workers including harm reduction, health, education, social and economic supports.	Victoria
PRINCE GEORGE SEXUAL ASSAULT CENTRE <i>Courage · Transformation · Change</i>	The Prince George Sexual Assault Centre is a trauma informed sexual assault center, which supports all and any person's who have experienced sexualized violence. We, advocate, support and lend strength to sexual assault survivors in Prince George as well as rural and remote Norther BC communities.	Prince George
	SNOW Society for Narcotic and Opioid Wellness works to reduce harms for those impacted by the Opioid Catastrophe.	North East BC

	<p>SWAN Vancouver is one of only two organizations in Canada providing culturally-specialized supports and advocacy to im/migrant self-identified women engaged in indoor sex work. SWAN promotes the rights, health & safety of im/migrant women engaged in indoor sex work through front-line service & systemic advocacy.</p>	<p>Lower Mainland</p>
	<p>The Vancouver Aboriginal Community Policing Centre Society aims to: 1. Reduce the over-representation of Aboriginal people in at-risk or criminal circumstances. 2. Build community support and participation for community policing and safety issues.</p>	<p>Vancouver</p>
	<p>The Vancouver and District Labour Council (VDLC) represents 60,000 workers from over 100 affiliated unions in our community. Labour council members work at food stores, on the docks, in public services, construction and much more. We are a chartered body of the Canadian Labour Congress (CLC), representing 3.5 million unionized Canadians. The VDLC was founded in 1889 as the "Vancouver Trades and Labour Council", making it one of the oldest labour organizations in the country.</p>	<p>Vancouver</p>
	<p>West Coast LEAF is a BC-based legal advocacy organization. Our mandate is to use the law to create an equal and just society for all women and people who experience gender-based discrimination. In collaboration with community, we use litigation, law reform, and public legal education to make change. We aim to transform society by achieving access to healthcare; access to justice; economic security; freedom from gender-based violence; justice for those who are criminalized; and the right to parent.</p>	<p>Vancouver, unceded homelands of the xʷməθkwəy̓əm, Skwxwú7mesh, and Səl̓ílwətaʔ Nations</p>

 <p>WISH Drop-In Centre Society</p>	<p>WISH Drop-In Centre Society works to improve the health, safety and well-being of women who are involved in Vancouver's street-based sex trade.</p>	<p>Vancouver</p>
 <p>WOMEN TRANSFORMING CITIES.org</p>	<p>Women Transforming Cities (WTC) aims to build cities where everyone belongs.</p>	<p>Vancouver</p>
 <p>Worker Solidarity Network</p>	<p>The Worker Solidarity Network (WSN) is a non-profit worker centre dedicated to ending precarious work in B.C. Our goal is to build collective worker power through the key pillars of our work, which include: support, education, and advocacy for workers whose rights are violated; workplace based direct action campaigns that are worker-led and help recover stolen wages; and broader province-wide campaigning to raise workplace standards and strengthen labour protections.</p>	<p>Vancouver and Victoria</p>
 <p>YUKON STATUS OF WOMEN COUNCIL</p>	<p>The Yukon Status of Women Council is a non-governmental organization that advocates for gender equality through research, policy change and education.</p>	<p>Whitehorse, Yukon</p>

[1] RR35, "Youth and Child Sex Trafficking in Canada." 2022 UBCM Resolutions Book, <https://www.ubcm.ca/sites/default/files/2022-08/2022%20UBCM%20Resolutions%20Book.pdf>

[2] United Nations Office on Drugs and Crime, <https://www.unodc.org/unodc/en/human-trafficking/human-trafficking.html>

[3] Hayli Millar and Tamara O'Doherty, 2020. "Racialized, Gendered, and Sensationalized: An examination of Canadian anti-trafficking laws, their enforcement, and their (re)presentation." *Canadian Journal of Law and Society* <https://www.cambridge.org/core/journals/canadian-journal-of-law-and-society-la-revue-canadien>

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[4] Hayli Millar and Tamara O'Doherty, 2015. "The Palermo Protocol & Canada: The Evolution and Human Rights Impacts of Anti-Trafficking Laws in Canada (2002-2015)".
<https://icclr.org/wp-content/uploads/2019/06/Palermo-Project-Key-Findings-Report-15-October-2015-with-copyright-2.pdf?x94276>

[5] Statistics Canada, 2016.
<https://www150.statcan.gc.ca/n1/pub/85-005-x/2018001/article/54979-eng.htm>

[6] Hayli Millar and Tamara O'Doherty, 2020. "Canadian Human Trafficking Prosecutions and Principles of Fundamental Justice: A Contradiction in Terms?"
<https://icclr.org/wp-content/uploads/2020/06/Millar-and-ODoherty-Technical-Report-on-Canadian-Human-Trafficking-Prosecutions-1.pdf?x29769>

[7] Government of British Columbia,
<https://www2.gov.bc.ca/gov/content/justice/criminal-justice/victims-of-crime/human-trafficking/about-us>

[8] RR35, "Youth and Child Sex Trafficking in Canada." 2022 UBCM Resolutions Book,
<https://www.ubcm.ca/sites/default/files/2022-08/2022%20UBCM%20Resolutions%20Book.pdf>

[9] Public Safety Canada, 2012. "National Action Plan to Combat Human Trafficking."
<https://www.publicsafety.gc.ca/cnt/rsrscs/pblctns/ntnl-ctn-pln-cmbt/ntnl-ctn-pln-cmbt-eng.pdf>

[10] Public Safety Canada, 2019. "National Strategy to Combat Human Trafficking, 2019-2024."
<https://www.publicsafety.gc.ca/cnt/rsrscs/pblctns/2019-ntnl-strtg-hmnn-trffc/2019-ntnl-strtg-hmnn-trffc-en.pdf>

[11] RR35, "Youth and Child Sex Trafficking in Canada." 2022 UBCM Resolutions Book,
<https://www.ubcm.ca/sites/default/files/2022-08/2022%20UBCM%20Resolutions%20Book.pdf>

[12] RR35, "Youth and Child Sex Trafficking in Canada." 2022 UBCM Resolutions Book,
<https://www.ubcm.ca/sites/default/files/2022-08/2022%20UBCM%20Resolutions%20Book.pdf>

[13] BC Bad Date and Aggressor Reporting Project, <https://bcbdar.org/>