



Giving Hope Today

Submission to

**House of Commons Standing Committee on
Indigenous and Northern Affairs**

SEX TRAFFICKING OF INDIGENOUS PEOPLES

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The Salvation Army welcomes the opportunity to provide a written brief to the House of Commons Committee on Indigenous and Northern Affairs' study on sex trafficking of indigenous peoples.

The Salvation Army has made an international commitment to work with and on behalf of trafficked persons. We currently work in 131 countries and in many of those countries, we offer services and support to people who have been trafficked.

In Canada, we operate one of the few safe houses and related support services (Deborah's Gate/Illuminate) for people who have experienced human trafficking which also offers several community-based supports and services to people who have experienced or are at risk of trafficking. Per year, Illuminate supports 1,200 Survivors and their families who have experienced trafficking, and over 20% identify as Indigenous, Metis and Inuit, the majority self identified women and girls. We believe and support Indigenous-led approaches to ending human trafficking, and have significant partnerships throughout Canada where we are the secondary support for Indigenous led projects. Indigenous Survivors are resilient, wise, and miraculous human beings, and often much is asked of them to advocate for the needs of Indigenous women and girls. The reality is that every day in Canada, Indigenous women and girls are targeted for exploitation by predatory perpetrators, many of whom seek to exploit specifically based on their cultural background. We also see a demand for Indigenous exploitation through buyer preferences, seeking power through colonial/patriarchal/misogynist experiences. The recovery process from exploitation and trafficking is long, unique to each individual, and for those who are Indigenous, requires a culturally rooted approach that is not often found in traditional western modalities.

In this submission, we endeavour to provide insights based on our experiences in Canada and, in Winnipeg, Manitoba.

The Salvation Army's Work in Winnipeg, Manitoba

Our Correctional & Justice Services team in Winnipeg has been working to address sex trafficking for over 20 years and has met with 700+ women and those who are LGBTTQ2+ involved in the sex trade, in addition to 1300+ men as buyers. We are present in the downtown Winnipeg community, the courts and correctional institutions in and around the city. We support those who come into contact with the criminal justice system as victims, witnesses, accused, offenders, and families. Through this work we witness daily the over-representation of indigenous people being negatively impacted, seriously harmed and their lives taken.

Programs and initiatives specifically related to sex trafficking are:

- **Women Seeking Alternatives** – An alternative measures court diversion program for women involved in the sex trade who have criminal charge(s). With the support of a positive relational case worker, participants identify 1 – 2 goals they want to work on, which usually relate to stabilizing their health, wellness and housing.
- **Prostitution Offender Program** – A demand reduction program that is a community-

based alternative measures court diversion program for those who have been arrested and referred as consumers of the sex trade.

- **The Trafficked Persons Response Team Network** – A group of agency members that strives to meet the immediate and longer-term needs of trafficked persons more seamlessly in Manitoba when called upon by law enforcement, service agency or other entity and are helpful in assisting a trafficked person when the routine helping protocols hit a snag.
- **S.N.O.W. night (Safe Night Off Winnipeg streets)** - Operates for a few days each February. Women involved in the sex trade are invited to a time of connecting, fun and relaxation.

The Stories of the Women We Meet

We offer the following observations specifically as they relate to indigenous women:

- We meet women referred to us by law enforcement, other agencies, or they find us themselves. We hear of their journeys of being trafficked, horrifically exploited and hurt. They share current and past situations of experiencing violence, how they came to be in those situations, if and how they got out, what they need now and what their hopes are going forward.
- Women of indigenous descent are vastly over-represented in the population of those exploited in the sex trade in Winnipeg. We estimate that 80% of the women who come to us are indigenous. While we do not keep statistics specifically related to indigenous status, our 80% estimate is cautiously low.
- Many of the women are marginalized, have targeted vulnerabilities and are battling significant substance addictions. Many have past criminal matters and while there are not prostitution-related charges, there may be indicators in their records that they are surviving by any means available such as exchanging sex for money, food, a place to sleep and shower, for drugs, all the above or are being exploited by a trafficker/pimp/drug dealer. Too often being targeted as vulnerable, racially marginalized and female means the survival option is usually in the sex trade.
- We note that many women have a worn-down sense of worth which is captured well in this quote, “My being out there helps other women not used to this from being raped.”
- At the same time, these are the strongest women we are ever likely to meet! They have withstood racism, misogyny, homophobia/transphobia, sexism, colonization, and patriarchal oppression, violence, complex trauma and yet they are still standing. Many dedicate their lives to eradicating human trafficking, to protecting others. There is a lot asked of this population to share lived experience, and many haven’t had access to private and sacred time to heal, yet they persist.
- When we host gatherings that offer the women a chance to relax, the encouragement, strength and support for each other is so evident. They share not only about when and how they started in the sex trade, but also about what has worked, resources that have

helped and what the dreams are. Almost without exception the exploitation/abuse began when they were in their early to mid-teens having been trafficked and also wrestling with an addiction by the time of turning the age of 18.

- During these gatherings, we hear about the buyers – how there are the bonus regulars who they count on to be fair, how routine the transactions are, the purchase, but also the cautious tricks to be safer or at least to be found, to leave some hair in the car for DNA, fingerprints, just in case. It's just a transaction, he does not care.

The Stories of the Men We Meet

- To stem the demand side of the prostitution and human trafficking equation, we operate a demand reduction program for those referred by law enforcement. Interestingly we hear similar transaction narratives from the participants there. The men come from all ethnic, socio-economic and cultural backgrounds. Our main focus is to challenge the common narrative of the reasons why individuals - mainly women - are involved in prostitution. When we ask participants why they buy sex, the following themes emerge:
 - Have self-centred reasons (e.g., having sex without an emotional connection attached, demanding sex acts that their partner is not willing to do, not having to care or worry about what the woman's feelings and needs are who they buy sex from)
 - Buying sex from younger women even at the risk of exploiting a person under 18 years of age
 - Exerting control over the women they buy sex from
 - Using it as coping strategy for challenges in their lives (e.g., stress, relationship difficulties, isolation)
 - Experiences of sexual abuse or other forms of trauma.

Our Observations Related to the Sex Trade and Sex Trafficking

Victims of Crime and Administration of Justice

It is evident in our society that there are harms from the sex trade. The Missing and Murdered Indigenous Women and Girls Final Report spoke in length to this regard. The sex trade is not a victimless crime, as some would suggest. As the women we meet have often shared, they experience violence, physical and sexual assault, among other crimes.

Although the Victims' Bill of Rights asserts that "consideration of the rights of victims of crime is in the interest of the proper administration of justice" (Government of Canada, 2021), women involved in the sex trade often have no proper administration of justice.

Section 286.1 (1) of the Criminal Code makes it illegal to buy sex or communicate for purchasing sex. According to The Victims Bill of Rights a "victim means an individual who has suffered

physical or emotional harm, property damage or economic loss as the result of the **commission or alleged commission of an offence**" (Government of Canada, 2021). The women who are involved in the sex trade suffer from physical and emotional harm because of the offence(s) committed against them and are clearly victims. However, their rights are often ignored because for them to survive they do not report any crime that takes place due to a number of factors such as concerns of reprisal from the perpetrator and their related community, having to disclose involvement in the sex trade, and not feeling able to manage the expectations of an investigation and all it involves. Therefore, the notion of 'justice' is far from being administered in this situation. In this situation justice would look like women having a different means of surviving, having a safe place to stay and making sure their basic needs were being met.

Our Recommendations

- Consistently enforce and where necessary, enhance, existing laws that address sexual assault, human trafficking and child abuse in the context of prostitution
- Provide law enforcement personnel with education, training and guidelines to reduce the stigmatization of sex trade workers and reduce real or perceived barriers of reporting crime experienced by those involved in the sex trade across all jurisdictions.
- Take care not to normalize the sex trade as just another industry, as it is an industry which is rife with high levels of abuse, violence and significant associated social problems
- The intersectionality of homelessness, marginalization, use of substances and sexual exploitation/trafficking overwhelmingly impact women's health and wellness and all these areas need to be addressed simultaneously to have the best outcome.
- Continue to invest in peer-support and strengths-based initiatives that allow women, men, and LGBTQ2+ individuals with lived experience to come together and share their knowledge and give leadership to initiatives.
- Prevention – increase support to indigenous communities and families with the aim to reduce targeted vulnerabilities so people are not susceptible to the lures and ploys traffickers use.
- Actively seek and listen for and to people with lived experience from all regions and experience backgrounds. Work especially hard to hear of the experiences and wisdom of the women we are sharing about in this brief.
- Mindfully consider how peer led opportunities can be offered holistically, giving Survivors opportunities in many spheres of their lives, versus the single option of anti-human trafficking work.
- Develop criminal code provisions that support immediate approval of all testimonial aid requests, mandatory restitution payments, protect and provide diversion options for victims who victimize others, and deeper exploration of establishing alternative justice options, such as restorative justice, Gladue reports, approval of kinship based relationships for approved victim support persons, Indigenous specific courts. Determine alternative approaches to testimony based investigations, allowing Survivors to focus on healing and less on having to testify over multiple years.

- Enhance civil justice options for Survivors in all provinces and territories, including pro-bono legal consultation for civil suits, access to employment standards claims, human rights tribunal complaints, and worksafe related claims.
- Engage in active colonial dismantling, seeking to learn from, and integrate Indigenous praxis through a cultural safety lens, in language, program offerings, approaches, and established best practices. Establish national victim services funding support across all provinces and territories to eradicate the inequities between communities to access vital victim compensation and support.
- Review and establish ethical storytelling policies and frameworks so Survivor voice is included but not exploited through the process of consultation.
- Build the community of professional practice where best practices are determined to protect Survivors from exploitive and unsafe helper approaches.

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