BUILDING A **SAFE** AND **RESILIENT CANADA**

Trafficking of Aboriginal Women and Girls

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Trafficking of Aboriginal Women and Girls

by

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Abstract

Little is known about family or gang involvement in the trafficking of Aboriginal women and girls in Canada. Interviews were conducted between October 2013 and February 2014 with front-line support agencies, service organizations, subject matter experts and police agencies. The research questions focused on how Aboriginal women and girls are being trafficked for the purposes of sexual exploitation, with a focus on how gangs or kinship relationships contribute to the trafficking situation.

This research did confirm that the trafficking of Aboriginal women and girls by family members has been reported as occurring in parts of Canada. Subject matter experts are divided on the frequency or, sometimes even the occurrence, of this type of trafficking within their sphere of expertise (be it geographical or with a particular client population). Gangs have also reportedly been involved in the trafficking of Aboriginal women and girls. These gangs are generally less sophisticated street gangs or groups of co-offenders who may constitute a criminal-type organization. Women and girls tend to be recruited by various methods, including coercion through "love" and domestic violence, which means at times women are not aware they are being trafficked.

The socio-economic determinants of sexual exploitation and trafficking tend to result from factors such as the legacy of physical and sexual abuse experienced in the residential school system, dispossession of identity and culture via the *Indian Act*, violence, racism and the marginalization of Aboriginal women resulting in loss of culture, low self-esteem, poverty, and in a heightened vulnerability to being trafficked. Addictions among the victims of trafficking appears to be widespread, and are often the result of either being introduced to drugs as a method of control or are used to escape the harsh realities of being exploited.

Participants in this study have offered potential ways of reducing the harm of trafficking Aboriginal women and girls that include using coordinated local, regional and national approaches to address not only the root causes of vulnerability to trafficking, but also provide better coordination among police, Aboriginal organizations, NGOs and the government.

Executive Summary

The *National Action Plan to Combat Human Trafficking* reported that Aboriginal women and girls are at a higher risk to be trafficked and sexually exploited, than non-Aboriginal women. Public Safety Canada conducted a series of Canada-wide community engagement sessions where Aboriginal organizations highlighted the existence of family involvement in the recruitment of Aboriginal women and girls into the sex trade or where family members were trafficking other family members. Also arising from these reports was a noted prevalence of gang involvement in the trafficking of Aboriginal women and girls. Previous to these reports, little was known about these two determinants of trafficking.

The trafficking of Aboriginal women and girls is the focus of this study, particularly the involvement and methods of recruitment by family and gang members. From October 2013 to February 2014, 76 interviews were completed, mostly by telephone, with front-line organizations, service organizations, subject matter experts and law enforcement officials. The focus was on the Central, Eastern and the Northern parts of Canada. The research questions were open ended and were used as a guide for conversations. Questions generally focused on the vulnerabilities, characteristics, as well as the living and working conditions of Aboriginal women and girls who are being trafficked, the possible involvement of the families and gangs, the efforts of law enforcement and support agencies to address the issue, and identified gaps to providing services. Participants in the study almost universally focused their responses on human trafficking for the purposes of sexual exploitation.

Participants' views and published literature indicate that historical and complex socioeconomic issues have resulted in vulnerabilities amongst Aboriginal women and girls that can lead to sex trafficking and exploitation. The effects of colonialism are seen through physical and sexual abuse experienced in the residential school system, dispossession of identity and culture via the *Indian Act*, violence, racism and the marginalization of Aboriginal women. Widespread addiction has created a multitude of vulnerabilities, and can often be the result of either being introduced to drugs as a method of pimp control or as a means of escape from the harsh realities of being victimized or exploited. The health, living and working conditions of Aboriginal women and girls who are reported as having been trafficked are deplorable and are centered in cycles of poverty, violence and degradation.

Sexual exploitation and human trafficking do not occur in isolation, occurring through a number of pathways due to a myriad of related social-economic determinants. Family members, gangs and friends can recruit women and girls through different types of financial and psychological coercion, as well as physical violence. The consensus of participants in this research was that because of their socio-economic status, Aboriginal women and girls are more likely to be subject to poverty, low self-esteem, addictions, mental health issues and poor health and, as a result, are particularly vulnerable to becoming the victims of human trafficking for the purposes of sexual exploitation.

Detailed first- and second-hand accounts provided by participants in this study indicate that there are instances of family involvement in the recruitment of relatives into sex work, the circumstances of which may constitute exploitation and instances of human trafficking. The extent of this phenomenon is unclear; some participants confirmed knowledge of a wide range of family recruitment or family trafficking cases, while others did not. Many participants confirmed that sexual abuse as a child can contribute to a "normalized" state of violence and is often is part of a pattern of exploitation that continues into adulthood. In some cases, the family members involved in the trafficking experience of Aboriginal women and girls are gang involved or trafficked victims themselves. It was also clearly articulated that positive and healthy family members can be a very positive force in supporting Aboriginal women and girls to get off the street or leave an exploitive situation. The definition of an Aboriginal family can be broad and could include not only blood relations, but foster, common-law and former familial relationships.

The interviews with participants indicated that small, local and loosely-structured gangs also recruit Aboriginal women and girls, with either one or a few women being trafficked at a time. Pimps acting as boyfriends were reported as a common avenue for the entry of Aboriginal women and girls into being trafficked or sexually exploited. These pimps typically use a method of psychological coercion through "love" combined with an implied fear of violence, which can lead, in many cases, to the women and girls not recognizing that they are being trafficked, because they consider themselves to be in love with their trafficker. Subject matter experts believed that Aboriginal women and girls were less likely to be moved or be controlled by more highly sophisticated criminal organizations, as compared to other trafficked women and girls.

Aboriginal women and girls in the North appear to face additional challenges in that geography, isolation and the reluctance to discuss and confront the difficult circumstances surrounding trafficking in their communities heighten their vulnerability to being trafficked. Some participants believe trafficking is most likely to occur during the transition when Aboriginal women or girls move from the North to the South or from a small rural community to a large urban area.

This research identified generalized and specific mistrust of the police by many vulnerable Aboriginal women and girls as a problem that complicated the law enforcement response to the human trafficking of Aboriginal people. Police agencies also acknowledged that trust was an issue with most Aboriginal communities. Many police agencies reported that they have increased their efforts to better understand Aboriginal culture and history, through education and awareness of front-line officers, and increased relationship-building with community leaders and residents. An array of promising community oriented programs and training opportunities are being implemented by police services across Canada. Police services in the larger urban centres generally displayed more experience in investigating cases of human trafficking than police services in smaller cities. Participants noted that police trust and effectiveness was highest in places with dedicated outreach programs to sex workers and Aboriginal

communities, where there were individual committed officers, and dedicated human resources that stayed long term in their position and role.

Human trafficking cases are complex and are more difficult to investigate than other major crimes, such as homicides. Improving intelligence sharing and data collection, through centralized mechanisms, was suggested by police participants. Study participants identified that a lack of data collected on the ethnicity of victims and the way sex work offences are coded in police records management systems were impediments to investigating the human trafficking of Aboriginal women and girls.

The needs of Aboriginal women and girls who have been, or are being, sexually exploited, go beyond what most support agencies can provide. The nature of the violation of human trafficking is unlike domestic assault, and years of follow up support are often required. In addition to immediate medical care, trauma and/or addictions counselling, victimized women and girls often require safe housing, education, additional life skills, sustainable work, mental health supports, culturally-appropriate and safe health care and a coordinated and complete approach to service delivery.

Participants in the research indicated that there is also a significant lack of culturally-appropriate supports for Aboriginal women and girls who are being trafficked, and many participants believed that services would work best if culturally-specific counselling and specialized care were made available. However, a few programs already do provide holistic supports for Aboriginal women, with a focus on Aboriginal culture and spirituality. Services offered by these programs include working with individual needs for recovery from addictions, skills development, and providing housing with up to a year to recover from addictions, to develop skills and gain greater independence. The involvement of Aboriginal women who had previously been trafficked as service workers was identified as an effective way to provide services to trafficked Aboriginal women and girls.

A number of participants believed that the trafficking of Aboriginal women and girls was part of a wider "Canadian crisis." This crisis was a continuum of related phenomena involving the criminal victimization of Aboriginal women and girls, evident by the large numbers of Aboriginal women and girls who are subjected to physical and sexual violence, are trafficked, and who go missing or are murdered.

1. Background

In August 2013, following the *National Action Plan to Combat Human Trafficking*[1] Public Safety Canada released a call for proposals for a research study. After conducting community-based research with 80 stakeholders in Winnipeg, Edmonton, Halifax, Toronto and Montreal, it had been noted by several of the community-based organizations in the engagement sessions that family involvement and gang members play a critical role in the trafficking of women and girls. Public Safety Canada issued a Request for Proposals with the following objectives:

> The objective of this research is to augment what is currently known about the trafficking of Aboriginal women and girls in Canada by engaging with service providers and other relevant stakeholders who work with communities vulnerable to this specific type of victimization, particularly concentrating on the situation in Central and Eastern Canada, as well as the North. This project also included elements that focus on: (a) describing the extent and situations in which family members are involved in victimizing their relatives; (b) clarifying the mechanisms by which human trafficking and domestic violence are related to one another, particularly in the context of family trafficking; and (c) outlining how gangs and criminal organizations are involved in trafficking, with a focus on the trafficking of family members.[2]

This study is divided into four sections. In the first part, some contextual historical information on First Nations, Métis and Inuit women precedes a description of the study and the methodology. This material is important to include because it explains the reasons Aboriginal women in Canada are the topic of this type of report – that they have become disadvantaged in Canadian society through a process of colonization. The second part presents the methodology and description of the study. The third part presents the findings and analysis related to the interviews conducted with individuals working in community-based organizations, those providing funding and services to community-based organizations, subject-matter experts and law enforcement agencies. The fourth part concludes with a summary of the study and recommendations for next steps.

1.1 Historical context[3]

Prior to European contact, Aboriginal women commanded a high degree of respect in many communities as the givers of life and keepers of the traditions, practices and customs of their nations. It is well understood by Aboriginal Elders, that women held a sacred status for their forbearers, as well as in their culture today because they brought new life into the world. Women were revered for their capacity not only to create new life but, by extension, the creation of new relationships with the Creator.

In this context, if force was used by men against women, these acts were considered deviant and unacceptable. This type of violence was a threat to the health and security of

the entire community and was quickly rectified and the offender punished with undertakings "…made to heal both the victim and the offender. If offenders were not rehabilitated, they could be banished from their communities."[4] Scholars suggest that many Aboriginal traditions were marked by egalitarian relations between men and women, with modern patterns of patriarchy and male-dominance introduced only through European missionary work, new forms of trade relations and Western institutions of governance and the state.[5]

After the European arrival, the position of Aboriginal women changed dramatically in many places. For instance, during the fur-trade era, the Aboriginal practice of exchanging marriage partners between nations resulted in closer nation-to-nation ties and cemented mutually-beneficial trading partnerships that lasted generation-to-generation. Conversely, the Europeans' emergent industrial view of production and latent sense of racial superiority often ended up viewing the conjugal connections they formed with Aboriginal women as inferior and temporary, and the women as objectified commodities for the production of trade wealth and sexual gratification.

Historians have established that prostitution occupied a central place in social reform initiatives during the late nineteenth and early twentieth centuries. Authors Strange and Loo question why prostitution became a social problem at this exact moment.[6]

> Even though Scottish and French men started families with Aboriginal women during the fur trade, some Europeans began to propagate myths that such women were somehow more promiscuous in nature. These notions made it easier for all men to unfairly blame or victimize Aboriginal women for their problems.[7]

At various historical moments, sexual arrangements, like concubinage, were favoured by colonial elites over interracial marriage and prostitution, only later to be condemned and replaced by other conjugal relations. Colonial administrators deemed sexual relations between Aboriginal women and white men to be acceptable during the fur-trade era, only to be censured and replaced by prostitution in later periods. The "regulation of sexual relations was central to the development of particular kinds of colonial settlements and to the allocation of economic activity within them."[8]

Later, patriarchal laws, policies, legislation and regulations would be instituted that attacked Aboriginal women as their families' "anchors."[9] The high social standing accorded by societies and cultures that held women in high regard was eroded. Eventually, women's effective participation in governing their societies and nurturing good social relations within their communities was substantially diminished, and, in some cases, eliminated with the imposition of the *Indian Act*, residential schools, forced sterilization laws, mental health laws, forced removal of children and enfranchisement; all of these factors contributed to eroding the position of Aboriginal woman as caregivers, nurturers and equal members of the community. The perception that the original inhabitants of this land were "savages" fortified the notion that Aboriginal peoples were less than human and that women were free to be exploited.[10]

Today, many believe that Canada's institutions that claim to be value-free continue to reflect a male construction of reality.[11] Male-created and centered values have shaped institutions, laws, legislations and policies that have had a long-lasting negative effect on the physical and social health of Aboriginal women. The social and economic marginalization that impacts Aboriginal women and their families is disturbing to many. Research shows that Aboriginal women are affected by poverty, lower educational attainment, higher unemployment, poorer physical and mental health and lack of housing.[12] Indeed, in 2009, over 40% of Aboriginal women lived in poverty.[13] It has been estimated that eight in ten Aboriginal women will be beaten or sexually assaulted in their lifetime and that the victimization rate of Aboriginal women is roughly triple that of non-Aboriginal women.[14] The Elizabeth Fry Society describes the situation in which many Aboriginal women may find themselves:

> She has often left home at an early age to escape violence. She may be forced to sell her body because she needs money and is unable to obtain a job. She is likely to have been subjected to racism, stereotyping, and discrimination because of her race and colour. However, her experience on the streets becomes violent as she continues to experience sexual, emotional and physical abuse. She is likely to become involved in an abusive relationship. There are usually children born from this relationship and the social, emotional and economic struggle continues. The cycle of an unhealthy family continues.[15]

In October 2004, Amnesty International released the *Stolen Sisters* report. This report was commissioned partly in response to the fact that at the time the Native Women's Association of Canada reported that over five hundred Aboriginal women had been murdered or gone missing over the past twenty years. Independent research scholar, Maryanne Pearce, has collected data on 3,329 missing and murdered women across Canada. Of this number, 824 or 28.4 % were identified as Aboriginal, when Aboriginal people make up less than 5% of the Canadian population.[16] The over-representation of Aboriginal women amongst the missing and murdered is the most egregious example of the pattern of victimization experienced by Aboriginal women and children.[17] Scholars have identified social strife, decades of involuntary uprooting of women and children, and a lack of economic and educational opportunities within many Aboriginal communities as having contributed to a steady growth in the number of Aboriginal people living in predominately non-Aboriginal towns and cities. The same historical legacy is believed to have contributed to a heightened risk of violence for Aboriginal women in urban centers in Canada. Many women now face desperate circumstances in Canadian towns and cities, a situation many attribute to the sexist stereotypes and racist attitudes applied towards Aboriginal women and girls, as well as a general indifference to their welfare and safety. The resulting vulnerability of Aboriginal women has been exploited by Aboriginal and non-Aboriginal men to carry out acts of extreme brutality against Aboriginal women and girls.

2. The Study

2.1 The goal of the project

The overall objective of this project is to "augment what is currently known about the trafficking of Aboriginal women and girls in Canada by engaging with service providers and other relevant stakeholders who work with communities vulnerable to this specific type of victimization, particularly concentrating on the situation in Central and Eastern Canada, as well as the North."[18]

2.2 Research questions

Two separate sets of research questions were used for this study. One was specifically for the law enforcement agencies and another set was developed for the organizations that provide support to victims, fund support agencies, or otherwise had in-depth knowledge of the issue. These research instruments are found in Appendix "A." The Letter of Introduction that was used is found in Appendix "C." All documents were prepared in French and English.

2.3 Ethics procedure

It was stated at the outset of each interview that the research team did not want to compile any data that was confidential, so that whatever information was gathered could be shared with the public. The participants were also told that their contribution would be made anonymous so that they could speak frankly with the research team. Consent forms were sent to the participants prior to the interviews (see Appendix "B"). When interviewees asked what would become of this information, they were told that the purpose was add to, and expand upon, the existing body of knowledge of Aboriginal human trafficking, family and gang involvement, in Central Canada, the East and the North. The ultimate goal of the work is to contribute to the eradication of the sexual exploitation of Aboriginal women and children.

2.4 Methodology

The methodology was consultative, with a sample of 75 semi-structured discussions in an interpretive, descriptive, qualitative study. Individuals with whom discussions were held were involved in:

a) providing direct services to trafficked Aboriginal women and girls;
b) providing services and resources to vulnerable Aboriginal individuals and communities;
c) the study of the trafficking of Aboriginal women and girls;
d) investigating or prosecuting crimes associated with this type of trafficking.

From October 2013 to February 10, 2014, 171 organizations and individuals were contacted for the study and 76 interviews were conducted: 34 with law enforcement and

42 with organizations and individuals who are working with, or have knowledge of, the subject matter.

Wherever appropriate, quotes from participants are interspersed throughout the sections to give anecdotal or lived examples that are illustrative of the theme of the section and the other responses that were provided. The language has been modified as little as possible to maintain the integrity of the quote, but some changes have been made to ensure the quotes are sensible on the written page; these changes are for flow only and do not change the meaning of the response. The interviews were coded in accordance with the mandate of the organization. (See Appendix "D" for a map of locations and categories of interviewees.)

1. **Front-line Support Organizations** include shelters, friendship centres and direct service delivery to the women who are being trafficked or sexually exploited. Although most of the services are provided to Aboriginal women, it does not exclude organizations that may also provide services to non-Aboriginal women, girls, boys or men.

2. **Service Organizations** provide funding and resources to the front-line support organizations. These service organizations include provincial government departments mandated to deal with trafficking, child and family services, religious organizations, victim services, NGOs, community and health services, Aboriginal women's organizations.

3. **Subject Matter Experts** are those who have published articles, books or monographs on the subject of Aboriginal women in the sex trade or otherwise possess expert knowledge. It also includes professors of gender studies and Aboriginal issues. Experiential[19] women are also included in this category.

4. **Law Enforcement** includes RCMP, provincial and municipal police services.

Information from law enforcement agencies was critical to get a holistic view of the issues, supports and responses as they relate to human trafficking of Aboriginal women and girls. Police services across Canada were included in this study to determine their level of awareness of the issue, as well as their responses (enforcement and outreach), partnerships with other agencies, and gaps and barriers to providing services.

2.4.1 Sampling procedure

Purposive sampling across Canada was used, and efforts were made to include more interviews from the northern parts of the provinces that may be considered a "Hub" for trafficking from the North to the South. The Public Safety Canada requirement identified a minimum of 40 interviews to be conducted with individuals in Central Canada (Ontario and Quebec), the East and the North. Snowball sampling was also used, starting with contact information from the Public Safety Canada five regional round tables on human trafficking, as well as Internet searches, personal networks of the research team members and information gleaned from participants in the interviews themselves.

2.4.2 Interview process

One hundred and seventy (170) invitations to participate in the study were sent to identified organizations. The invitation was sent in either French or in English. Of those invited, 95 either declined or did not reply. Of those who declined, the main reason provided was a lack of knowledge on the topic.

A total of 76 interviews were conducted in either French or in English. The interviews were held with 10 Service Organizations, 34 Police services, 19 Front-line Support Agencies, and 13 Subject Matter Experts.

Seven face-to-face interviews occurred and 69 telephone interviews were completed. The research questions provided a structure for the interviews, although in many cases the interviews were conducted in a semi-structured format within a conversation, particularly where sensitivities to Aboriginal culture were a concern.

The Public Safety Canada requirements, as stated in Request for Proposals established that: "At least 40 of the discussions will be conducted with individuals working in the regions of Central Canada, Eastern Canada and in the Territories, who can provide information on what they or their organization has observed regarding the trafficking of Aboriginal women and girls." The breakdown of interviews by province and territory as follows:

Central:

- Quebec: 7
- Ontario: 17

East:

- Nova Scotia: 12
- Prince Edward Island: 1
- Newfoundland and Labrador: 7

Territorial (North):

- Yukon: 1
- Nunavut: 7

A total of 54 interviews were completed in the required geographical range. In addition, another 23 interviews were completed in:

- British Columbia: 5
- Alberta: 8
- Saskatchewan: 8
- Manitoba: 2

2.4.3 Data analysis

The data collected was grouped according to geographical region and organizational mandate. A map indicating the location of the interviews and the type of organization is shown in Appendix "D."

Researchers began by reviewing the bibliography provided by Public Safety Canada, completing a literature review of the subject and reviewing the list of participants from the Public Safety "community consultations" held in 2013, and targeting the Aboriginal specific or Aboriginal service delivery organizations. When the list of participants was created and interviews began, the researchers asked each participant for a recommendation of individuals or organizations that may have subject matter knowledge. Efforts were made to counter any possible bias by establishing several avenues of referrals. The emphasis of recruitment for the study was to maximize the range and variety of patterns of activities through developing a diverse and distributed purposive sample throughout Canada. The findings are primarily descriptive, with little quantitative data and consist largely of anecdotal information which the study participants considered illustrative of the reality they experienced on the job or in their research. The data in the study represents a portion or snapshot of the issues of trafficking of Aboriginal women and girls in Canada.

Digitally-recorded interviews were analyzed to identify participant responses to the research questionnaires. Responses have been coded and grouped in accordance with the research questionnaire and study objectives. Recurring themes were isolated and identified and coded by relevance to the research questions. Similarities and differences in the responses were isolated from each interview which allowed the recognition of specific patterns. Because the interviews were open-ended and conversational, much of the data is story-based. This approach did, however, generate new information not yet identified within the literature on the trafficking of Aboriginal women and girls, and was considered to have been the most culturally-appropriate data collection methodology for obtaining data from Aboriginal study participants.

The sample size meets the criteria for good qualitative research and dependability has been established through the digital recordings. The quotations reproduced in each section speak to the themes of the research questions.

2.4.4 Literature review

A literature review was completed as the first part of the research study. Sources were drawn from law enforcement agencies, government agencies, academic and scholarly research, legal initiatives, legislation (domestic and international), as well as government policies. The interviews and questions and conversations focused almost exclusively on domestic sex trafficking, however, international sex trafficking and domestic labour trafficking were also subsidiary issues. The literature review followed the same focus as domestic sex trafficking, with review of materials relevant to international sex and domestic labour trafficking which involved Aboriginal people.

2.5 Limitations of the Study

The definitions of the terms used in the discussion questions were problematic for front-line support organizations, service organizations, and subject matter experts, but not for law enforcement agencies. Most participants said that they felt that defining the term "human trafficking" in the Aboriginal context is inadequate to encompass the history of colonization and the all-encompassing normalization of negative aspects of Aboriginal living conditions, including their vulnerability to victimization. They stated that historical factors such as colonization and the degradation of Aboriginal women have led to an unequal socioeconomic status that result in poverty, low educational status, addictions, ill health, sexual exploitation, and abuse and violence against Aboriginal women. Different conceptions of family were also found to be a complicating factor, as the kinship relationships applied in some Aboriginal cultural contexts, or criminal subcultures are, in general, broader and more inclusive than those used by the Eurocentric legal system.

The focus of the study was "Aboriginal women and girls," however, boys, men and transgendered people were noted by some participants to also be victims of human trafficking, and some responses were also inclusive of these parts of the Aboriginal population due to parallels with the experiences of Aboriginal women and girls. The questions were further found to be limiting in that they tended to ask people to put a "checklist" together of the characteristics of Aboriginal women and girls who were involved in the sex trade or who were being otherwise sexually exploited.

Purposive and snowball sampling may have limited the types of participants involved in the study. The time limits were also challenging, in that not all subject matter experts were available during the short time period of the study (October 2013 to February 2014).

The issue of human trafficking is difficult to speak about for some Aboriginal populations due to the sensitivity of the topic, so the issue tends to remain hidden and unresolved. Additionally, it is nearly impossible to uncover reliable quantitative estimates on the numbers of women, men, girls and boys who are victims of, or involved in human trafficking, as the numbers shift constantly. Only a few support agencies, and no law enforcement organizations, keep ethnicity-based data related to Aboriginal people, so it was difficult to confirm numbers or proportions of Aboriginal women and girls experiencing human trafficking who had come to the attention of these organizations.

In addition, during the period of this research study, it was reported that at least two other similar studies on human trafficking were underway, with questionnaires distributed, or interviews being conducted, with many of the same organizations and contacts being approached in the course of this study. Some of the prospective study participants expressed confusion about the research, and whether it was a duplication of the other projects underway. For instance, the Native Women's Association of Canada had one ongoing research study and had just completed another. Another unknown one from Michigan was also mentioned. This may explain why, in some cases, the possible

participant was confused about who the researchers were and why the research team did not receive responses from some law enforcement and support agencies.

3. What was heard

3.1 Definition of human trafficking

The legal definition of human trafficking is found in the *Criminal Code of Canada*[20] and in the United Nations *Palermo Protocol on Human Trafficking.*[21] The interviewers asked the participants what their definition was, as a starting point of the interview and to provide a framework for the research questions. The interviews were conducted with the use of the participants' definition. The definitions included: the one found in the *Criminal Code* and by the United Nations; sexual exploitation and sexual abuse the potential for sexual exploitation or child sexual abuse; and, the enticement, recruitment, transportation of women, girls, boys, and men and transgendered persons for the purpose of exploitation. It was also defined as involving the control of victims, including coercion, manipulation, and threats of violence or violence by one person or persons.

Some law enforcement participants stated that the wording of the *Criminal Code*, Section 279.04, on exploitation is particularly problematic, as there is a requirement to demonstrate that a person exploits another person if they:

> (a) cause them to provide, or offer to provide, labour or a service by engaging in conduct that, in all the circumstances, could reasonably be expected to cause the other person to believe that their safety or the safety of a person known to them would be threatened if they failed to provide, or offer to provide, the labour or service; or
>
> (b) cause them, by means of deception or the use or threat of force or of any other form of coercion, to have an organ or tissue removed.

The police participants pointed out that, in many cases where indicators of human trafficking and exploitation are present, the victim often considers the trafficker to be a "boyfriend." "The law puts the onus a victim's fear for safety, and it is hard to prove that there is direction and control." "If a victim does not disclose, or isn't afraid for her safety or the safety of her family, then the threshold of the law is not met." The police are then unable to lay human trafficking charges.[22]

The front-line organizations and some support agencies expressed that the term "human trafficking" was inadequate to describe the lived experiences of Aboriginal women that includes the effects of colonization. Others were clear that sexual exploitation of children should not to be conceptualized as human trafficking, but as sexual abuse. To many participants in the study human trafficking is exploitation and coercion for the purpose of gain. Many participants differentiated sex work or prostitution from human trafficking for the purposes of sexual exploitation by equating prostitution with a certain amount of consent and personal agency for the women who engaged in the sexual act. However,

most participants also problematized the definition of "consent," with many recognizing that clearly defining the concept could be difficult. One service provider pointed out that there is a fine line between "consent" and "compliance," the difference not readily identifiable in most cases of human trafficking. Participants working with Aboriginal women and girls who they believed were being sexual exploited noted that although the women and girls appear to "consent" to the situation of sex work they are in, in the victims' minds they have no other options to follow, which for the participants indicated that true consent was not present, and thus the situation was one of exploitation, and thus, human trafficking. The less options a woman or girl has, due to vulnerabilities such as extreme poverty, addition or homelessness, resulting in situations of exchanging sex for survival, makes situations of 'illusionary consent' more likely. For the organizations working more directly with the *Criminal Code* definition, the consent of a person to exploitation is irrelevant if there has been any coercion or deception involved, or any benefit granted by the trafficker.

Participants from another front-line organization provided a convincing explanation of the problems with the definition of human trafficking, and said that scholarly work can assist in the clarification of definitions. They explained that in laymen's terms "everything that is sex work is being thrown into human trafficking pot." They clarified that in their network they see a continuum of consensual sex work to sexual exploitation. They explained that trafficking means labour or sexual exploitation involving threats or coercion to work against the person's will (with no consent). In other situations, they identify people as being 'pseudo-compliant,' who may have volunteered as part of some kind of contract for sex work, but may not want to continue once they find that the work is unpleasant and distressing. Some may be using sex for drug access, or "pseudo-voluntary" sex work to support family members.

A participant considered prostitution as a case where the woman is acting with full consent; she may be working independently as a private contractor and professional sex worker, with her own business and with control over her money. The representative from the organization further explained that there is a big difference in the psychological profile of prostitute and victim in human trafficking. For instance, in psychology, the locus of control determines who has power over one person by another. In prostitution, the women have the power to consent (say yes or no to individual sexual encounters) because they have agency. Trafficking has an external locus of control, meaning the handler or trafficker has control over the actions of the worker, and there is no control for the worker. In this case, the psychological damage is far greater than if the worker has control over her own actions. The results may be Post Traumatic Stress Disorder (PTSD) and depression associated with lack of control over one's life.

While this front-line organization was clear about the definitions, a subject matter expert expressed frustration with the use of the term "human trafficking" and said that the terminology avoids the issues of sexual exploitation and the reasons behind it. They shared "in my darkest moments, I think that we keep changing the terminology so we don't have to deal with the issue." Another subject matter expert added that even the use of this language may have the impact of marginalization, by forcing Aboriginal women

into a framework that does not take into account the historical events and policies that have shaped their lives. The "historical imprint of colonization" described human trafficking for one subject matter expert while a front-line support worker conveyed, "The term human trafficking is a "hoity-toity" word for white society, upper class and government that can't handle the truth about prostitution and pimping. It's a fluffy word for people that know nothing at all about prostitution." Some front-line support organizations who work with the victims of human trafficking and those organizations who supply resources for front-line workers, believe that the definition of human trafficking has limited the acknowledgement of sexual abuse and sexual exploitation.

For the groups dealing with the Inuit population, the definition under the *Criminal Code* was even more problematic, and it was noted that even the potential for child sexual abuse, sexual exploitation or exploitation, in general, should also be included in the definition. In a strict sense, the term "trafficking" is not applicable to the Northern communities, as a subject matter expert clarified: "what occurs in the North is much more insidious due to the isolation, geographic and climatic factors and hidden homelessness." Furthermore, it is not as often directed or organized, but nonetheless involves the movement of individuals, exploitation for sexual purposes, and material gain for people other than the victim. Additionally, the researchers were cautioned, "I'd strongly suggest that some thought and work be initially done to ensure trafficking is broadly defined to capture what is happening amongst Inuit."

The various definitions used by the participants provided a backdrop for the broad array of responses to the definition of human trafficking. Where law enforcement participants were generally in agreement with the definition of human trafficking as defined in the *Criminal Code*, the majority of front-line support and service organizations and subject-matter experts challenged the definition as not being broad enough to encompass the living conditions of exploited Aboriginal women and girls, and that is de-emphasized other elements of their victimization. Some members of all groups had problems understanding how consent, as included in the definition, related the to the complex overlapping vulnerabilities of poverty, living conditions, and victimization background of some people living on reserve and in Inuit communities, which can constrain the life course options of some Aboriginal women and girls.

3.2 Role with respect to human trafficking of Aboriginal women and girls

When participants were asked about their role and direct involvement with Aboriginal women or girls who had or are being trafficked, they were also asked for an estimate on the numbers of women and girls they work with that they believed had been trafficked.

Front-line agencies generally noted that they provide support, public education, shelter and advocacy. One agency was very clear that they take into consideration the "unique vulnerabilities" of Aboriginal women and girls and the historical effects that colonization has had on their lives when providing funding for service delivery.

Service delivery organizations all stated that they provide funds, service and or resources to the front-line service agencies, and had no direct involvement with trafficked Aboriginal women and girls.

Two subject matter experts, who are researchers and authors on the subject of human trafficking, had a variety of hands-on experience with gang activity, health issues, street work, human trafficking, sexual exploitation and child sex abuse. Another subject matter expert, who is the author of various studies related to the sex trade, has interviewed "tonnes," "hundreds" of Aboriginal women and girls, and confirmed that the studies showed a disproportionate percentage of Aboriginal women and girls among sex trade workers where, in her experience, at least 35% were Aboriginal.[23] One expert noted that she knew entire families that had been involved with street sex work, with six to eight women from the immediate family all involved.

The majority of law enforcement agencies across Canada reported that their role is the identification and investigation of sexual exploitation and human trafficking cases, as well as outreach to vulnerable communities. Many of the police agencies have dedicated Aboriginal Liaison officers who include human trafficking awareness in their duties.

Although it was not the purpose of this study to provide an accurate estimate on how many Aboriginal women and girls have been the victim of trafficking,[24] some front-line agencies keep fairly accurate statistics on their number of contacts, as well as the ethnicity of clients, and shared those statistics during interviews. For instance, one front-line agency estimated that of 94 women and girls served by their organization, 35 to 40 were trafficked. In Labrador, a front-line service organization that serves a general population of approximately 8,000 people said that the number of "visible" women they serve is 100, while there are many more that are "invisible" (meaning they do not vocalize their life situations and come to the attention of the service organization).

One support organization noted, "We just had a case of a young woman (possibly more) who was taken from their home community to another Nunavut community to effectively be available for others' sexual needs."[25] One support organization recalled that they have received 533 telephone calls on their crisis line in six months but do not know how many callers were Aboriginal. A subject matter expert noted that their organization has a database of over 1,000 women and they have a caseload of 400. Approximately 100 of these women are Aboriginal and approximately 70 are from Thunder Bay; of the 70, 15 are not Aboriginal.

A support agency in Alberta that provides supports to sex trade workers and also has a family violence program, reported that they have been keeping statistics since 2006. Since 2006, the participant organization has served approximately 800 women and girls who they believe have been tracked, and approximately 70% are Aboriginal women and girls; but "they'll never say it's a pimp, he's seen as a boyfriend." Of the transgendered women that support is provided to, one was known to have been trafficked. The organization observed that very few of the Aboriginal human trafficking cases that have come to their attention have gone to court or entered the legal system.

It is difficult to effectively estimate how many Aboriginal women and girls are being trafficked. Two support agencies that maintain extensive databases of clients who are Aboriginal women or girls estimated that, across Alberta and Ontario, there are 1,800 Aboriginal women or girls in their client base who they suspect of having being trafficked. Some participants in the study provided estimates of numbers from their own recent experience. Based on the responses of all participants who offered information about numbers, overall participants provided estimates that there are at least 2,400 fairly recent cases of suspected human trafficking where the victim is an Aboriginal woman or girl.[26,27]

3.3 Police involvement

There was a variety of responses from study participants concerning the involvement of police in suspected trafficking cases and the outcome of police efforts. Although the comments of many subject matter experts were very negative with regard to police, others relayed that they had good working conditions and partnerships with police agencies. Generally, the organizations that worked on the front-lines with the women who are being trafficked were more mistrustful of the police. However, in Nova Scotia some service agencies responded that they had good working relationships with the police and that the police were helpful and supportive, offering the opinion that "some positive outcomes have been to bring kids home that have been on the street."

Front-line support organizations responded in a similar manner to many of the service agencies, saying that the police were generally perceived as being racist, reporting negative experiences, which resulted in a strong general mistrust of the justice system. A service agency provided the opinion that, "There is no trust. They either rape you or arrest you. The cause is racism and discrimination." A subject matter expert estimated that, in her opinion, only about 2% of the Aboriginal women they had been in contact with over 30 years on the street had been treated fairly by police officers. The subject matter experts, who were participants in this study, particularly those who were experiential, were of the consensus that they had had very few positive experiences with the police. Many from this group provided personal anecdotes illustrating the reason for their distrust, with one recalling, "Yes. I complained because I was raped by a trick and beat up. The police officer said: 'Whores are meant to be fucking raped.' I have never had any dealing with [police] since then." Another subject matter expert shared:

> I was raped, beaten and thrown out of a car by a bad date. I went home, changed clothes and was back on the street within an hour. I didn't report it to police because I thought "I chose this life, so I deserved it." When I was asked by a police officer what happened, I said I was raped, and he replied: "Oh, well, you chose this life. And if I ever see you again, I'll arrest you." Sometimes girls think it comes with the territory. They don't realize that any rape is rape; whether you have a briefcase, going into a law office, or if you're standing on the street corner.

There are other study participants that cited stories of police officers using their position of authority to coerce sex workers into providing them with unpaid sexual services and police officers acting as frequent customers for sexual services. A significant number of study participants reporting that it was a common experience to have had police officers make inappropriate comments, often consisting of sexual innuendos, that the study participants considered derogatory or degrading when the officer was interacting with Aboriginal women and girls who were involved with sex work; sex work that the officer may, or may not, have known might constitute a case of human trafficking.

However, there was a diversity of experience dealing with the police amongst study participants. The responses provided by other front-line support agencies did not agree with these accounts, and these study participants stated that their impression of police services has greatly improved through the action of individual "heroes," who were identified as specific officers who undertook sensitive outreach with the community of sex workers.

The vast majority of police agencies reported that they have a greater awareness of human trafficking and the issues surrounding vulnerable communities since Bill C-49, *Act to Amend the Criminal Code (Trafficking in Persons)*, was passed in 2005. While the police priority had been on enforcement, targeted at sex trade workers, their efforts have evolved in the last 20 years to do more outreach with sex workers, and they have shifted their enforcement efforts to those paying for sex. In addition, many police services are educating their front-line officers on more effective ways to communicate with sex trade workers as part of their outreach efforts. The study participants who were police officers pointed out that, where the norm in the past might have been using language and rhetorical strategies that were investigative in nature, their interactions with sex workers today are intended to be non-confrontational and less adversarial.

There were no front-line support providers, nor service agencies, that did not report contact between their clients and police at some time or another. Much of this involvement was negative, as expressed by the participants who were women who had been in the sex trade or being trafficked and/or worked directly with these women. Other service agencies had more positive experiences with police involvement and had developed good working relationships and partnerships. A trend appears to be emerging toward a more collaborative relationship between law enforcement agencies and social support networks, with a greater focus on respect and outreach to exploited women, and more law enforcement directed towards johns and pimps. However, the responses of some participants indicates that additional work may be required to ensure consistent approaches among front-line officers, to overcome the past bad experience of particular women.

3.4 Characteristics of trafficked Aboriginal women and girls

The Aboriginal organizations generally noted that virtually all the women, girls and boys they had been in contact with, had been sexually abused as children and into their teens, noting that sexual violence and abuse is therefore normalized into adulthood. One Alberta

agency noted that 80% to 90% of Aboriginal women and girls in the sex trade had been sexually abused as children. The most likely offenders were family members, with abuse also occurring in foster care. One subject matter expert expressed that, "I never had a chance to give my virginity away, so I might as well sell it." Another subject matter expert and front-line service worker corroborated this by adding the commonly proffered analysis that it was their assessment that, for Aboriginal women, in the cases they see there is almost always a correlation to the residential schools intergenerational legacy of child sexual abuse; thereby "making it a small step to sex work." In addition, addictions, foster system and sexual abuse or trauma at a young age (0 to 5 years) were also a pattern cited by a subject matter expert.

One Western support agency clarified that many Aboriginal children are in foster care, explaining that the Children's Aid Society was known to remove children from poor, but caring and nurturing, homes that were below the cleanliness standard, and place them in foster care. Another support agency shared that it happens that children who have been through the child welfare system had not only suffered child abuse, but had also lost the sense of family support and, as a result, felt unloved and isolated. Participants identified situations such as these are contributing to the vulnerability that leads to trafficking.

One key characteristic that became apparent during the interviews was that many Aboriginal women and girls who end up in the sex trade or who are trafficked come from rural upbringings. Either they have moved from the North to the South, or were raised on reserve, and moved to a city at a young age with their family, or left the reserve on their own to seek a better life. In the cities, these women and girls are typically unprepared for the vast change of pace and the urban lifestyle, and are often isolated, with few job prospects or friends. These conditions contribute significantly to their increased vulnerability to being exploited.

Some of the subject matter experts interviewed were experiential themselves and were helping other women leave that lifestyle. One of these subject matter experts was clear that her family played a large part in her entering into the sex trade when she was 15. She shared that she was sexually abused as a child by a family member. Her father made a decision to move the family into the city from the reserve because he wanted a better life for his children. Because she had been sexually abused as a child, as a youth and as a young woman, it was a simple transition for her to get involved in sex work; since exploitative sex was a normalized part of life for her. Her life experience, and these facts, has influenced the choice of work she does today in helping other women leave the streets.

A pattern in the responses of participants emerged whereby there appeared to be a clear link between violence, domestic violence and the vulnerability of women and girls to trafficking. While violence against Aboriginal women consists of violent crimes and gender-based violence that is marked by extreme societal apathy for their victimization, many participants explained that the domestic violence that the women have experienced at home has been "normalized," meaning that when they are young, they watch their parents or family members in violent relationships, they live in a violent home and

become victims of sex abuse and violence at a young age. One subject matter expert and front-line service worker noted that they had seen a lot of girls, from all age groups, from "out west" as having experienced incest (father-daughter). The behaviour of families and entire social networks for individuals is one where violence and addictions are normalized. Due to the intergenerational aspects of this normalized abuse, it becomes difficult to leave. It is a simple step for a girl to go from one violent and controlling relationship in the home, to one outside of the home, to one on the street, as they grow up. The embedded nature of abuse is a particularly strong source of vulnerability to exploitation.

One participant from Nunavut shared that, in their work, they had never met a local Aboriginal woman who had not experienced violence. A subject matter expert also shared that human trafficking and violence are produced by the legacy of abuse and oppression that arose from the residential school experience and other policies and processes of colonization. One subject matter expert and front-line service provider observed that there is always violence from pimps, although the pimp is usually considered the "boyfriend," and they advise women that "healthy men don't do this." The expert also shared that they had been exposed to violence through their own pimp who, over the years, had burned their feet, broken their nose, beaten them with an untwisted coat hanger, broken their fingers and jumped on their pregnant abdomen to cause miscarriages. They were forced into working while they were sick and forced to dress in a bikini with a fur coat outdoors in cold weather. They also noted that one way the pimp had control over them was by controlling their menstrual cycle by directing them to use of birth control pills so they could continue working.

In Nunavut, one support agency participant cited that the rate of violence is much higher in the territory than in the rest of Canada. The participant attributed this to the results of colonization. Other contributing factors are the remoteness of small, isolated communities, extreme poverty, lack of options for meaningful work; women are now gaining more education and work than men. Some participants was also clarified that they believed it was a cultural trait that Inuit women keep more quiet that some other groups of women about rape and abuse issues. This practice numbs them and teaches them learn how to survive a difficult life. One service organization shared that women they serve have been told "don't snitch, don't tell and don't rat."

A Labrador front-line organization noted that all of the women they had been in contact with had experienced violence of some type, that it is the "normal way of life." Some women felt that if their partners did not beat them, then it was a "good relationship" even if the partner had exerted some other type of unhealthy control. They also said that there are homes where violence and control have forced women who are couch surfing or otherwise homeless to have sex with other people in order to have somewhere to sleep. They realize they are never safe, that in their lives there is always the potential for violence.

One front-line support organization told of an incident while working with police to conduct outreach to sex workers. They noticed an Aboriginal woman who seemed out of

place on the street. When they approached her, she was stand-offish at first, and then she broke into tears. "I'm looking for my daughter. She's being pimped out by a boy who's in a gang, and I need to find her. I left the reserve, I'm staying in a hotel, and I'm trying to find her. She's a minor (15 years old). I looked on the Internet and called a couple of agencies that deal with prostitution, but nobody wants to help." The support worker gathered information indicating that the boy had guns and a machete, and subsequently called police detectives. The next day, a police sting operation was put together, and they arrested the boy in less than 24 hours. He was pimping the girl on [an on-line classified advertisement site], in an exploitative way whereby he took 90% of the money she earned. He pled guilty to living off the avails of prostitution and pimping, but not to trafficking charges. The young girl was placed in a safe house. The trafficker was a 20-year-old Aboriginal man with links to [an Aboriginal street] gang."

Some law enforcement participants stated that many of the Aboriginal women they had dealt with engaged in "survival sex," meaning they would trade sex for food or shelter or basic needs. This form of sex work is a clear product of the level of poverty of Aboriginal women. One service organization explained that there is "hidden homelessness" among women in Nunavut, "they don't have a shelter of their own," which leads to vulnerability, and forces the women to submit to 'pseudo-consent,' survival, sex work in order to have shelter. The Labrador participants noted that women who use their services were often homeless and marginalized and, therefore, vulnerable; they had low self-esteem, addictions and were the poorest of the poor and many did not have a voice. They also added that these women had often been involved in relocations of a community and, as a result, had suffered a fractured family structure with a loss of traditional ways of keeping the family together. Therefore, they experienced difficulty developing healthy personal relationships. Their cultural norm is to be non-assertive and "unless the women were intoxicated" these women and girls did not appear to be able to express their anger at their situation.

Addictions were listed as being a precipitating factor for girls and women being sexually exploited. A law enforcement agency also commented that the Aboriginal girls they have seen being sexually trafficked, typically have low self-esteem, and come from violent home lives or single-parent homes. Further, they also stated that the average age of recruitment for victims is 14 to 16 years old.

The research team and many study participants see a clear connection between the historical effects that are detailed in Section 1.1 of this report and the indicators of how and why women and children (and men) get involved in the sex trade, or how they become vulnerable to trafficking. The intergenerational effects of residential schools and colonization were listed by nearly all participants as a major factor as to why some of the effects such as addictions, low self-esteem, poverty and extreme vulnerabilities are prevalent in the life histories of Aboriginal women and girls who are being trafficked. These same vulnerabilities that lead many people into sex work are the ones that also make them vulnerable to being trafficked for sexual exploitation; it can be a matter of the degree or the vicissitudes of life circumstances whether or not individuals in sex work end up meeting the definition of human trafficking or not.

3.5 Health

The researchers were carefully reminded by one subject matter expert that "the women we are talking about are not street workers first. They did not choose to grow up and be street [sex] workers. They are women and human beings first, and their mothers loved them and wanted to protect them." The subject matter expert continued:

> Each and every time we refer to individuals who are involved in the sex trade as "hookers," "prostitutes," "hoe," etc., we dispirit them. No individual comes into the world as a hooker or prostitute. We all come into the world with spirit. Each and every interaction and every individual we come into contact with either contribute to involvement in the sex trade or involvement in a productive lifestyle. When a woman is abused by her relative or whomever, it does something to a woman's Spirit. The Spirit leaves when they are being abused and comes back when it is over.

Overwhelmingly, in service organizations and front-line organizations, it was reported that Aboriginal women experience racism in the health care system. They are asked questions such as this routinely: "How much have you had to drink?," "What drugs have you done?," and "You are a prostitute are you not?" The Brian Sinclair case was highlighted by several study participants as an example of how racism affects Aboriginal people in the health care system.[28] They revealed that if an Aboriginal woman who has been trafficked or is in the sex trade has been raped, often they will get a cold response at the hospital and leave after many, many hours of waiting; the only effective way to get assistance at a hospital is go with an advocate. If they go alone, they will get shuffled off into a corner; there is a perception that the nursing staff hope the woman will go away. Women often get tired of waiting, go back to the shelter and do not return to the hospital; the rape goes unreported.

Several of the participants said that women involved with sex work, and victims of human trafficking, often suffer from mental health issues such as Fetal Alcohol Spectrum Disorder (FASD) and Post-Traumatic Stress Disorder (PTSD), and need specialized care, over time, to deal with these effects. There are rampant mental health issues coupled with PTSD; many women have depression and have needle marks and cuts, and will sometimes burn themselves. One subject matter expert and front-line service provider reported that specialized trauma counselling at the street level is required to help deal with the trauma that trafficked women have experienced.

3.6 How trafficked women and girls get involved with traffickers

A law enforcement participant clarified that there is minimal gang involvement in the recruitment of Aboriginal women and girls, meaning gangs will not share girls and that the pimps are "street level pimps"[29] who subject Aboriginal women and girls to a systematic process of "baiting, grooming, conning and exploitation that often turns into violence and brutality." One police officer noted that "a 'Romeo Pimp' will promise [a

trafficked woman] the world and use love as his main tool. It's very effective. Love is one of the strongest emotions. We've seen it's the most effective tool, more effective than fear. If she relates to the guy, no matter what he does, if she loves him, she won't turn on him. This is one way girls are victimized." They are not violent with their victims at first, however they switch to violent and controlling behaviour once the woman or girl has fallen in love with them.

Some pimps or "boyfriends" will invite young girls to come to the city to party, also making it look like a romantic wooing. Often, when the girls go to the city, they are given drugs, may be photographed in compromising positions, and then coerced into selling themselves to pay back the money that was spent on them. At times, they are told they cannot return to the reserve until they have paid back what they owe. The compromising photographs are often used as a threat and a shaming technique to keep them under control. Some pimps look for young women or girls, because it is easier to manipulate a 14-year-old than it is a 30-year-old. If she is young and comes from an unstable background, she may be attracted to him. Pimps may traffic one girl, but often it is "two or four, then multiple girls."

Addictions are also a control mechanism to tie the Aboriginal women and girls to their pimp. Subject matter experts clarified that often the pimp provides drugs, maybe marijuana or alcohol, and eventually get the victim hooked on opiates so the victim is more easily controlled and then dependent upon the drug and the pimp. They explained that a pimp will have many men lined up and the woman waiting to service these men just to get her "fix." A subject matter expert also shared that pimps are not exclusively male; women are pimps as well, particularly in the Western provinces.

Some study participants were vocal that family recruitment does not occur; while other study participants had concrete first- and second-hand examples of family involvement. When family members are involved in the trafficking, Aboriginal girls and women are often introduced to the sex trade though family members who are already in the sex trade themselves. These family members can often be severely addicted, and involve their relatives in sex work as a way to obtain additional money to fund their addictions. Study participants who described this phenomenon observed that, in their view, there is always a connection to residential schools in the past – either a mother or a grandmother attended – and one subject matter expert believes there is a direct link to the residential school regime. This subject matter expert considers the fact that girls and women have had a relative in residential schools as an indicator of vulnerability and a marker of high risk of being trafficked. One support agency has observed a high level of family involvement in Alberta and stated "it is way more prevalent than is reported." Aboriginal communities, by their very nature, may be large and widespread and involve family or kinship-type relationships (positive or negative ones). One front-line support worker observed that, in their experience, the recruitment of victims of trafficking in Aboriginal communities is often done by girls who have previously been recruited. For instance, the Children's Aid Society, young offender centres and group homes, often provide venues for older girls to recruit younger girls connected to them in a family or kinship sense.

It was specifically noted by some study participants that taxi drivers in Nunavut play a role in actively recruiting and/or transporting girls and women who are either involved in the sex trade or are in the process of being trafficked. A police officer explained that "there are taxi drivers offering to take young girls to the city to give them 'opportunities.'"

Many study participants added that it is important to identify the locale and methods of recruitment. A law enforcement officer reported:

> Pimps used to have to hang out in malls, recreation centres, high schools and boys and girls clubs (although some still do) to look for targets. There's a trend away from the guys recruiting – it's moving toward other girls recruiting other girls. We see that a lot. The pimps learn what to do and say, and learn how to use girls to recruit other girls. The pimps think that it puts them at arm's length from offence. It doesn't, but it complicates the investigation. Girls may recruit other girlfriends, using peer pressure, or 'fun/having a good time' as a draw. During the grooming process, pimps treat the girls well, and provide ample drugs and alcohol. Some pimps will flip right away as soon as they get control. They will take girls away for the weekend (to Toronto or Montreal), to get her away from her support system. It gives the pimp more control.

A support agency reported that many Aboriginal girls are recruited during cultural events, like pow-wows and round dances that may take place on reserves. The stroll found in urban centres also provides an opportunity for the recruitment of young girls into the sex trade; a pimp has easier access to them when another girl or woman has brought them to the stroll.[30]

A law enforcement officer reported that social media is becoming a huge recruiting ground. The use of the Internet and social media facilitates booking hotel rooms and other ancillary services to the exploitation. One website is specifically targeted to the trafficking of Aboriginal women and girls. Facebook and gaming sites are often used to lure vulnerable girls. In the North, Internet use is less prevalent and, because sex work is more likely to be occasional or survival sex, trafficking in Nunavut tends to not evolve into sophisticated business arrangements. Describing the role of the Internet, a police officer commented, "The Internet is huge. You have to advertise these girls. Strip clubs don't need to go on-line. Hotels are massive and they need to be on the Internet to advertise. Street sex workers don't need to advertise. Men just drive down a known track, look at girls, pick which one they want... The Internet acts as that "virtual track" now."

Particular Internet sites, notably a certain on-line classified advertising site, was referred to by several participants as an active method of trafficking women and girls, although many participants said that profiles of Aboriginal women and girls are less prevalent or not seen at all. In contrast, one Alberta support agency noted that of the Aboriginal women that they know are in the sex trade or are being trafficked, approximately 75 to 100 advertise on one particular on-line classified advertising site.

3.7 Movement of trafficked women and girls

One of the common themes heard from study participants was that trafficked Aboriginal women and girls are not moved as often as non-Aboriginal women. Where there is movement of Aboriginal women and girls in situations of human trafficking, it is likely to be from their home community to larger urban areas. However, when there is movement of any trafficked women (not differentiating between Aboriginal and non-Aboriginal women), it is generally East to West: Halifax to Truro or Halifax to Montreal to Toronto. Sometimes, there is movement onto boats, which coincides with ship-building projects, as the increase of demand for sexual services often goes along with the increase of men to the area to build the ships. Halifax is also the gateway to Eastern Europe and used for the purpose of transporting women from Eastern Europe to Canada. A front-line support agency responded:

> We would see them driven from Halifax, Ottawa, (making as much money as they can) and when making less money, or police heat, they would move west, or south to the U.S. Now, because of the lucrative nature of human trafficking, just like any criminal, they want to make the most money with less risk. There are more people trafficking now and girls are procured out of Toronto, to the East Coast to Ottawa, and Montreal, then out West. The circuit used to be East to West, now it's all over the place.

A subject matter expert who delivers front-line services reported that in Thunder Bay, there is an active sex trade on the ships that dock there, and that many Aboriginal women are involved. The ships go to Duluth and to other points in the U.S, or other port cities on the Great Lakes. This subject matter expert had been trafficked by a pimp from the ages of 12 to 22. They believe police services look the other way because there are police officers who are, themselves, consumers of the sexual services of trafficked women. It was reported by this subject matter expert that at any given time, there were three to six women that a ship's crew would pick up in the local bar and taken to the ships that were docked at Thunder Bay.

The subject matter expert further clarified that the routes of movement for many women were from Ottawa to Halifax, and then from Halifax west to Calgary and Fort McMurray, or from Calgary to Victoria. In her own case, she was trafficked in the United States, working from New York to Chicago to Florida to Los Angeles. (She did not differentiate between trafficked Aboriginal and non-Aboriginal women.)

Additionally, and relevant to the Thunder Bay example, is the information provided by a police officer who indicated that in 2001, after the 9-11 attacks, the U.S. and Canada established stricter Maritime Security (MARSEC) levels at ports; all people leaving or boarding ships must sign a log. All ships coming into port are under 24-hour surveillance from the moment they dock to when they depart. The officer pointed out that "it would be virtually impossible for trafficking to occur under these conditions. That's not to say it

didn't happen before these measures were in place in 2001." One police officer provided insights into the attitudes of some smaller police services, "In smaller cities, police don't see human trafficking. "We don't have any complaints, so it's not our problem." It is a problem. Human trafficking cases are not based on complaints. When we interview victims, we take note of where they've been, and they go everywhere."

In the North, air travel is the primary means of long distance transportation, and if Inuit women are trafficked out of the North, they would follow major transportation hubs. For instance, the Eastern Arctic flies women to Ottawa and the Western Arctic airline flies women to Edmonton and Winnipeg. Once women are in Ottawa, they are moved to Montreal, Toronto and Halifax. Women will be flown from Rankin Inlet to Winnipeg and those in Arviat will also fly into Winnipeg. The women are often transported from Edmonton and Yellowknife and back. A front-line support agency in the North clarified that, "People don't leave the North to work the streets, but may go South to Ottawa to attend a doctor's appointment. One woman breached the rules of the house and ended up on street when kicked out. She was stranded with no money and no support system."

In the Northern Prairie regions, the circuits of movement are from The Pas, Flin Flon and Selkirk to Winnipeg. Prince Albert is a gateway to Northern Saskatchewan; Saskatoon is also a gateway to the west via Edmonton to Vancouver. It is via these routes that trafficked women are likely to follow. A subject matter expert explained that "The Downtown Eastside [of Vancouver] is full of Saskatchewan [Aboriginal] people. They die there."

Law Enforcement participants cited Edmonton to Mississauga to Niagara Falls as a circuit, and a pipeline of movement. In Labrador, because it is difficult to get out due to its remoteness, some hitchhike. The front-line support agencies in Labrador said that the women who use their services are the women who live in the poorest of the poor conditions. The women who are being trafficked or are involved in sex work, generally, stay because they do not have the means to fly or otherwise travel out; it costs $800 to fly out of the area.

It is generally thought that non-Aboriginal women who are being trafficked are moved more by their traffickers than Aboriginal women. Aboriginal women are generally more engaged in street sex work, rather than sex work at strip clubs or organized through escorting, and may be more likely to have addictions that prevent them from moving often or frequently. Less movement could also indicate being controlled by less sophisticated and organized traffickers, as well as being paid less for their sexual services.

3.8 Living and working conditions

Study participants were asked to describe the living and working conditions of Aboriginal women and girls who are trafficked. There was general agreement on the link between the family and living environment to increased vulnerabilities of Aboriginal women and girls.

Appropriate, safe housing was identified as a major problem for many Aboriginal women and girls and a factor as to their vulnerability to being trafficked; this was mentioned by all types of study participants interviewed across Canada and in the North. A problem was noted by one participant from an Aboriginal specific organization who said that landlords are now including a clause in their leases that say "no hooking allowed." Related to the housing issues, is the relationship between welfare payments and poverty rates. In Nova Scotia, "welfare payments are $280.00 per month and to rent a 'crappy' suite costs $500.00." These facts leave Aboriginal women vulnerable and force women onto the street to earn money to sustain themselves and their families. There are no supports or safety in their housing situations." One front-line support worker noted that most of the women they work with live in poverty; they go to night shelters for the evening, but leave during the day. The lack of housing in Labrador is a serious issue that leads to vulnerability. Sometimes, men and women are partners, and will take a young woman in who does not have anywhere to go, and may coerce her to have sex in exchange for room and board or a couch to sleep on. There are a few men in the community who regularly prey on the young vulnerable women; many were identified as being "businessmen." There is an economic boom happening right now in Labrador; it can cost $300,000 for a simple trailer, and the cost for a two-bedroom apartment can be $2,000 per month. It is difficult to afford standard living conditions. One or two boarding houses are available, but the study participant comment upon it considers the conditions shameful. Participants observe that it is a hand to mouth existence for Aboriginal women in the region and the cold climate makes the stakes of being homeless much higher.

A subject matter expert also noted that housing is generally overcrowded, with eight to nine people in one small house; there are pest infestations, addicted people and trauma associated with this overcrowding. Often these houses are located in the "Hood." A law enforcement official from the North recalled that the overpopulation and the housing crisis can put 15 to 20 people in one apartment.

Many young women come from shelters or have "aged out" of the Children's Aid Society regime. Where there are few options for affordable, secure housing, many women and girls are forced to resort to "couch surfing" (seeking temporary lodging in other, often overcrowded homes) or trading sex for accommodation. One subject matter expert said that "guys can negotiate getting blow jobs just to provide a couch to sleep on." A subject matter expert described, "The living conditions of trafficked Aboriginal women and girls are inhumane. Where you might see Eastern European women living four or five girls in a hotel room, you'll see situations where Aboriginal women live out of a bag."

Physical and mental abuse are routine occurrences, and are common methods of exercising control over trafficked women and girls. Threats of violence to the women or their families are also commonplace. Repeated exposure to these conditions often results in PTSD, Stockholm Syndrome, and increased drug use to dull their experiences. Vivid descriptions were provided by one subject matter expert, "Men want to act out what they have seen in the porn industry. The women and girls are tortured, drugged, mentally abused, tied up, pregnant, forced to have abortions, electrocuted, starved, and live in bad

conditions. They are cut, raped and raped with objects, they are suffocated and forced to watch violence."

A subject matter expert recalled that they had heard of "Pocahontas Parties" where the men play John Smith and "conquer" the women who they pay for sex. These parties were held on boats on the Great Lakes. The men dressed up as John Smith and Aboriginal women are brought in dressed in Pocahontas outfits. It is unknown if the women were being trafficked, how many women were involved or how often this occurred.

The living and working conditions of trafficked Aboriginal women and girls described by many of the knowledgeable study participants are deplorable. The research team and many study participants see a clear link between the lack of safe, affordable housing and the vulnerabilities of Aboriginal women and girls to being trafficked. The same determinants of vulnerability in the "Characteristics" section, such as poverty, lack of education, addictions and mental health issues, lack of positive role models, early sexual abuse, and low self-esteem, continue to manifest themselves in the daily living and working conditions of these women and girls.

3.9 The North

The North (above the 60th parallel in the West, and Ungava and Labrador in the East) presents a certain set of interesting challenges with the law, legislation and regulation in particular, and with the harsh reality of isolation, climate, and geography.

When asked about their work on trafficking in the North, one law enforcement participant noted, "There are so many complex issues in Nunavut. The effects of the residential schools and the subsequent break-up of families mean that they had to re-learn how to look after their own families." Poverty in the North is crushing. For instance, there is a high median income for non-Inuit in Nunavut, who earn an average of $86,000 per year, while Inuit only earn an average of $20,000.[31] There are major issues with overcrowding and poverty and, at times, having a young family member leave for the South may be seen as a relief.

Two police officers in Nunavut said that the population in Nunavut is very trusting and this makes a person vulnerable.[32] Families are naïve about the risks and dangers facing young women if they have opportunities to leave the community and go to a large city; they are often given permission by parents who are unaware of the risks. Several study participants shared that a barrier for Inuit women is their refusal to talk about trafficking, sexual abuse and exploitation issues. There is awareness that these things are happening in communities, but Inuit people are reluctant to talk about it. The silence is so profound that, as a result, some people think that the problem does not exist.

Labrador service organization participants noted that many of the women involved in the sex trade have children in care and that these women have very little trust in the justice, health, education and social services systems due to their experienced with children's aid. Some participants reported that police do not believe the women who complain about

abuse; and that the police believe the perpetrator of violence first. A participant recalled that there used to be a military base in Labrador and, for two generations, men would prostitute their daughters, but they were unsure if this pattern was continuing. Another barrier to women seeking support in Labrador is the language issue, since most of the women speak Inuktitut or Innu-aimun as a mother tongue; English is their second language. A participant reported that that the women are generally unsophisticated and unaware of how things work in the social services, and vulnerable because of this.

The Northern participants were particularly vocal in believing that the involvement of Elders in supporting women who are recovering from abuse or wish to leave the sex trade is very important. The participation of Elders was seen as a key method to "root" the women back in their culture and "calm things down." Churches in the North are a consistent presence, unlike social agencies that are either non-existent or have a large turnover of personnel.

The situation in the North is unique because of the geography and isolation that Aboriginal women face. There is a lack of housing and chronic hidden homelessness, and people are forced to take refuge where they can, because of the harsh climate and overcrowding. Like the Aboriginal women in the South, poverty and historical trauma create vulnerable women.

Historically, the responsibility for raising children was shared in the community, beyond just the mother or the nuclear family. There was a shared philosophy of "let a child be a child," one of non-interference, to let children learn from their mistakes. "Times have changed. Life is more sedentary, there's not as much knowledge of how a community works together."

A law enforcement officer who worked in Nunavut recalled that many children have both a Christian and Inuktitut name and this may be problematic when identifying missing girls or women who may have gone missing due to being trafficked. The officer explained that often, the Inuit are named after a friend or deceased person who may not be a family member. The extended family of the person whose name is given to a child is also considered family to that child, whether or not they are related by blood or marriage. Thus, it is difficult to track the movement of children among homes, be they defined legally or by Inuit custom, as names cannot always be used to infer legal kinship ties. The officer observed that "Everybody is related in Nunavut. There are very close connections."

Some participants reported that many Inuit girls have their first child at a young age, and may adopt them out to relatives or non-relatives. An officer stated that "it's not uncommon for an elderly couple to adopt a child through a custom adoption. The adoptive parents may live off the land, have traditional ways, have never visited a city, and may not speak English. When young people want to venture out, to travel, elderly adoptive parents don't understand the risks, and how easy it is to disappear. It is easy to get their permission to leave." The officer stated they are aware of cases where young

people have gone South, and have been compromised. Parental guardians do not even know what is happening and they lose touch with their children.

There are two pieces of legislation in Nunavut that enable the adoption of children,[33] the *Adoption Act* and the *Aboriginal Custom Adoption Recognition Act.* The *Aboriginal Custom Adoption Recognition Act* is the application of Aboriginal law with respect to adoption. By agreement, children can be adopted along with the permission of an Adoption Commissioner through the filing of official documents. The Inuit have historically practised this method of adoption and it is now recognized by the court system. It recognizes that children move between families and extended families more fluidly than in Eurocentric models of adoption. The 2011 Auditor General's Report notes: "The *Aboriginal Custom Adoption Recognition Act* does not define Aboriginal customary law or how the child's safety and best interests are considered." A subject matter expert also shared that the Auditor General has reported that these children become lost when taken by the state for an adoption and no one seems to know what is happening to the children or where they are. The Auditor General did not mention fraud or corruption, but said the lack of protection in place makes it possible.[34] It was further noted that in Nunavut the data collection system was inadequate and out-dated, and the interpretation of the *Child and Family Services Act* has been neglected, noting that the nature of the harm changes over the years and should be updated accordingly.

One subject matter expert added that there are a large number of Inuit babies and children being adopted out of Nunavut, stating that "babies are a valuable commodity." The participant had heard that the mothers may or may not be getting paid to give up their babies, and speculated that there may be middle managers getting paid to arrange these informal adoptions. This subject matter expert also recalled that they believe that "at last count, 100 babies have been sent out of the territories to non-Inuit families." These adoptions are facilitated either through adoption measures or through the Children's Aid Society. The subject matter expert personally knows of one woman who had all four of her babies transferred out, but is not aware of any involvement of child sexual abuse or exploitation of the children occurring. They cautioned, though, that once predators (pedophiles, johns, or pimps) become (if they have not already) aware of easy access to children, this could pose a potential problem. The subject matter expert expressed some relief by sharing that the Nunavut land claim organization is starting to become aware of this issue, as is Nunavut Family Services.

A support organization in Nunavut also identified a potential link between adoptions in Nunavut and the vulnerability for children to be trafficked. They interpreted the *Criminal Code of Canada* definition of human trafficking as meaning a person being taken from family, forced or coerced (both genders) into the sex trade in adolescence or adulthood and enticed and exploited by virtue of their vulnerability. The exploitation can occur through financial or emotional enticement to play on the vulnerabilities of women and girls. There is a potential for young children, including infants, to be trafficked. The support organization voiced a concern with unregulated adoption in Nunavut, and with vulnerable young women who have children. There is a demand for children in the South, and some children may be removed from their birth parent or parents without there being

appropriate steps as far as security or adoption goes. The issue then becomes a risk that children may be taken for illegal purposes. These are ones that this support agency tends to find out about, but there may be other young people that are taken or given up through unregulated means.

The support organization was clear that these children may or may not be used for nefarious purposes, but the means by which they are removed from parents may be illegal. Clearly, where money changes hands, this activity is illegal, but there may be cases where, instead of exchanging money, there may be a gifting arrangement or an exchange of some sort; however, the best interest of the child may not have been taken into consideration in all of these cases. The large power imbalances and extreme inequality in social conditions between the North and the South were reported as contributing to the movement of children and the risks of sexual exploitation and human trafficking. The service agency had no idea how many children have been moved, if there was an exchange of goods or money, or in-kind contributions or compensation, nor does the agency have any proof that any illegal activities have occurred. The mere fact that these situations are going unregulated is seen as being a problem and a potential for unsafe conditions for children. The collection of evidence-based data and the collection of statistics on the prevalence of the potential problems would be helpful in establishing appropriate supports and responses. One participant asked, "How can it be fixed if it isn't measured?"

3.10 Family

The definition of family on many reserves includes extended family, and often includes close friends. The use of the term "family" sometimes also extends to gangs, members of which may be given kinship terms and operate as a type of family. Some front-line service delivery organizations said that there are "street families" in existence and the older females are "mothers" to the younger ones on the street, and older males are often involved as a "father" figure. Generally, all types of study participants, except law enforcement, defined the term of family as extended family, including aunts, uncles and cousins. Some support agencies expanded on the definition of family to include gang families. When referring to First Nation and Inuit family relations, the term family also included customary adoptive parents, sisters, brothers and aunts and uncles. These definitions may have also included common-law, step-family members or foster family members. The law enforcement agencies generally used the term family to denote more of a Eurocentric approach that may or may not be defined in Canadian law as immediate family, such as biological or legally adopted connections between mother, father, brother, sister and grandparents.

It was not universally agreed upon by all study participants that there is a frequent link between family involvement and recruiting or trafficking of family members. If gangs are defined as family, and some participants did define them as family or through kinship, they may have some influence on the trafficking of Aboriginal women and girls. Some organizations mentioned specific examples of gangs, or family friends or boyfriends, who were responsible for the entry of women and girls into the sex trade, or to being

trafficked or exploited. Others gave examples of biological or foster family members who were responsible for their entry into sex work and to being trafficked.

One Western Aboriginal support agency reported that family involvement in the trafficking of women and girls was significant. One example provided, included a mother who hooked her daughter on intravenous drugs and worked the street with her before the mother was arrested and charged with pimping. The daughter was 13 years old when they were caught, and it was suspected that the activities had been going on for some time before that. The mother "pled out," and the daughter is still entrenched in street life and addicted. "Each time we see her, we get her into a safe house, but she's a 'runner,' and leaves to go back to the streets." Other examples provided by study participants in interviews included three generations of women (grandmother, mother, daughter) who were trafficked, a mother who sold her children to johns, and brothers pimping out sisters. As another study participant shared, "The numbers are higher than reported. We see a lot with family involvement." Another subject matter expert shared, "My first trick was when I was 10 years old to feed me and my brothers. I knew that when this old man would come to pick me up once a week, that day I would eat. Then I was turned out by my father. He was caught up in addictions. The more I worked, the less he worked. I fed his addiction to alcohol, cigarettes and drugs."

A participant from Central Canada believes that there has been an increase in the number of families putting their children on the street to bring in money to feed their addictions. One Nunavut service organization observed that there were two girls in one family who were the victims of sexual abuse and sexual exploitation as part of a family prostitution business, where the father or brother would "hire" out the daughters for sexual services. Because of the close-knit nature of families, and the geographical isolation, there may be shaming by the community and family towards the victim when it is discovered that a member has been sexually exploited. This shunning, combined with the lack of support services, lead to the girls believing they are trapped. Community dynamics are very important, and embarrassment and humiliation are extra problems for women in the community because of their gender.

It was also observed by some study participants that a more indirect method of benefiting from sexual exploitation exists where family members have also been known to shame the person who is a sex trade worker into continuing to work to pay the bills in the house, while, at the same time, treating the woman as less than human because she is in the sex industry. The Nunavut service agencies participants provided a variety of responses, from clear reports of Inuit children being trafficked by family members, to others saying they have never seen it in the territory. One organization gave the viewpoint that, in the absence of sophisticated organized crime groups and due to the fact that many social relations are mediated through kinship relations, families in the North will stick together to create power imbalances, with powerful political families who lend money to the people who support them. It was also clarified by a study participant that, in the North, there is a culture of secrecy and shame among the Inuit that does not promote disclosure about sexual exploitation, sexual abuse or trafficking.

One support agency noted that they had worked with three generations of family members who all grew up in the sex trade, with the same men who were abusing and using the mothers, now using the daughters. One (experiential) subject matter expert and front-line service provider confirmed that there were intergenerational impacts of residential schools that were directly linked to the recruitment of family members into the sex trade. This study participant developed their views by reflecting upon cases known to them, the volume of which they considered to be a large number of women recruited by family members, which they believed were ultimately due to the intergenerational impacts of the sexual abuse from the residential schools.

Another participant shared that in the Aboriginal cultural context, sometimes the aunts and aunts' boyfriends are a big influence on youth who want to come into the city from the reserve. One subject matter expert commented that they know, or have experienced, family members taking them into the city as very young children, thinking that it will better their lives. If the children are young and under 12 years old, there is a level of coercion, particularly if they put them on the street and tell them to engage in sexual activity for money. There are a variety of ways that the family is involved, particularly if there are family members who are also gang-involved. When a family moves into the city to escape poverty and hopelessness, there is a draw of the sex trade and the impetus for making money and to own possessions that they could not afford if they were not working in the sex trade. It was also noted that often the family cannot provide support and there have been cases of the foster care system introducing the children to sex exploitation if the foster care parents sexually abuse the children. It is not a large step to the sex trade from sexual exploitation, as both types of abuse are part of the normal life of many young women, girls and boys.

It was also mentioned that family members play a critical role in supporting either an exit from street life or preventing the exploitation of "boyfriends." In Central Canada, there is a family retention program that works with families to keep them together. They explained that "it all starts in the family, if you are loved and made to feel worthwhile. We need to ensure kids have what they need and parents have the skills to deliver, with awareness and positive supports in place to help trust people, addiction treatments, and support for the families." A subject matter expert provided insight into the role of family in supporting the healing and rehabilitation of trafficked women and girls:

> It's important to talk to families of people who have been sexually exploited and to find the support to help families to be part of the solution for their children. Because if we don't do that (proven over and over in all situations, such as child welfare, addiction treatment, justice system (plays a huge role - more aboriginal women incarcerated than ever before). If we don't include family, whether it's blood or if it's a brother, sister, uncle, or someone who's been adopted, we're missing the mark on how to look at what's needed. Families are all looked at as possible perpetrators, and it may be true, but in a lot of cases, it's not. Start looking at talking to family members who are being trafficked. What I mean by trafficked is not only

> by an organized crime gang, or from a gang or from individuals who have connections. Human trafficking is about being deceived by a partner.

There were many examples provided by study participants of how close and extended blood family members, as well as non-blood family members, had become involved in the trafficking of other family members. The majority of participants who provided input on this subject were directly aware of cases of family involvement. Although most of police participants could also identify a few human trafficking cases where families were directly involved, few of them were cited as being Aboriginal families. It was a number of the support agencies and subject matter experts who provided the clear anecdotes and evidence of family members trafficking Aboriginal women and girls.

The residential school legacy has contributed to intergenerational physical and sexual abuse; family members who were abused in that regime have a higher chance of abusing their own children, than family members who did not attend or otherwise face abuse in their own lives. However, not all participants in the study agreed, and a minority emphatically denied family trafficking was an issue in their local Aboriginal community, their clientele or the Aboriginal community generally. On either side of the question, it was noted that the positive involvement of family members was important to break intergenerational cycles of abuse that lead to being victims of human trafficking, and to free people who are currently the victims of sexual exploitation or human trafficking.

3.11 Gangs

The term "gang" is problematic for many of the Aboriginal participants in the study. A gang is synonym for a criminal organization, which is defined in the *Criminal Code*, Section 267.1, as two or more people involved in serious criminal activity of some kind for financial benefit over a period of time. If two young women already involved in sex work are involved in recruiting and trafficking an underage girl for the purposes of sexual exploitation, this may therefore fall under the definition of "gang." Similarly, if a number of family members, residing at the same location, are caught up in drug abuse and selling the sex of a family member to fund their addiction, then this could meet the legal definition of a criminal organization, as well.

Defining what is meant by the term 'gang' is complicated. In the view of one subject matter expert, "gangs are loosely structured and thinking that putting those gangs into the category of organized crime like the Mafia or Russian gangs is just silly. They are popcorn pimps and foot soldiers and can be organized to an extent." Yet, at the same time, when most participants described a gang, they said they were not thinking of less sophisticated co-offending of this kind, but of street gangs or mafia-type organizations that were more organized, had a name, and subscribed to a common criminal sub-culture. In this study, the research team let the participants in the study define the term as they used it in their everyday work, which will often be much closer to the concept of "street gang" than the *Criminal Code* definition of "criminal organization." The difficulty in defining the term also poses problems in understanding the nature of the relationship between gang membership and violent behavior.

Although front-line organizations talked about the "corridor" between Iqaluit, Ottawa and Montreal for the Inuit girls and women, no participants confirmed that there was gang activity in the North, or that Aboriginal women were specifically trafficked by gang members. Another front-line organization explained that there are trafficking connections from East to West, where there is an assumed organized crime element. In these cases, front-line organizations often see girls who are doing sex work disappear and end up on the West coast. In these cases, they suspected gang involvement, where women gang members may be transporting other women and stopping in the Prairie provinces on the way West.

There was an observation that the "Hells Angels own or control [many] strip clubs, adult video shops and massage parlors" which can be involved with human trafficking. One subject matter expert indicated that this organized crime group controls clubs in the Thunder Bay area, but that there are not a lot of Aboriginal girls or women under the control of these particular businesses. Some participants felt that Aboriginal women and girls were trafficked through reserves that are located closer to the U.S.-Canada border. A study participant also noted that Inuit boys have been observed to be working in Montreal strip clubs and, as previously mentioned, that there may be a "taxi driver" ring in Nunavut that facilitates the movement of sex workers of all genders, as well as human trafficking for the purposes of sexual exploitation, that may or may not be correlated to gang activity as defined by the participants. However, as described, the "taxi driver" ring might constitute a criminal organization depending on how the exploitative activity is coordinated amongst offenders.

In addition to mentioning the involvement of the Hells Angels in Thunder Bay, one subject matter expert clarified that there are Aboriginal gangs that are likely involved with some aspects of human trafficking as well, such as the Native Syndicate, the Indian Posse, and the Manitoba Warriors. Further, as Thunder Bay borders on the U.S. and Manitoba, "it is a perfect breeding ground for gang activity and the recruitment of girls for human trafficking."

In relation to the Eastern part of Canada, the gang involvement of the North Preston's Finest gang was remarked upon. However, it was not clear if any Aboriginal girls or women had been affected by this gang. The support agencies in the Western provinces had slightly different perspectives, and said they often saw gang activity in relation to trafficking. Thus, according to participants, it seems that the proportion of gang activity associated with the trafficking of Aboriginal women and girls may be greater in Western Canada than in the Northern or Eastern Canada.

One police participant from the West identified links between some dominant Aboriginal families and gangs on reserve. Elders are reportedly too scared to speak up about any crime for fear of retaliation: "We don't like gangs here. We know they're our family members, but we're afraid what they'll do if we speak up."

With respect to movement of Aboriginal gangs in the West "what happens in the Prairies moves to BC." A direct link was made by some study participants between Aboriginal gangs and the Corrections system. "Most of the Aboriginal gang members are sent to prison in BC, and released in BC. They tend to stay there, and some send for others to join them in BC. We have seen increased movement of Aboriginal gangs into BC in the last year." Where these gangs move, so does their network of sexually exploited women and girls.

The role of women in Aboriginal gangs was defined by one support agency, one subject matter expert and one police officer, as being different from other street gangs. In a typical street gang, women are usually seen as "arm candy" and they move drugs. In Aboriginal gangs, women cannot be full "members" of gangs, but are seen as "affiliates," with the same roles as men, but with no formal titles. Woman may run a prostitution ring or a property crime ring, and may be used to recruit girls from small towns and reserves to join the gang. The Aboriginal girls who pimp out other girls will try to get to their own friends, or befriend people and then betray them, and then pimp them out. In two known cases, "a couple of affiliate Aboriginal girls were pimping out white girls." It was clear that, in most cases, recruiting other girls is not so much for monetary gain, but for status and for the reward of not having to work the streets themselves.

The two major Aboriginal gangs in Western Canada are the Alberta Warriors and Red Alert, both of which may have members involved in the coordinated trafficking of Aboriginal women and girls. Individual "popcorn" pimps, with ties to gangs, will target reserves. They act as the boyfriend, and will lure girls in, and once the girls are removed from their reserve and isolated from family and friends, the pimps will take compromising pictures of the girls to shame them into staying. They act as the "point man" or recruiter, and then pass them on to other gang members for trafficking. "The younger the better. That's what's in high demand from the johns."

In Nunavut, the consensus was that there is no sophisticated gang activity or identifiable street gangs. However, as one police participant shared, "There are some local-grown gang type activities in South Baffin. At times, there are individual gang members who show up from the South. They don't last long. They stand out and have no local support. Outsiders are noticed and are quickly reported to police if they are seen to be taking advantage of others."

A subject matter expert noted that the term "Rounder" was used in relation to people who frequented the skid row area, usually in the bigger cities, and made a living by being career criminals actively involved in some type of criminal activity, i.e., armed robberies, break and enters, and trafficking in narcotics. The criminal milieu in which these people are embedded involves frequent co-offending, which may or may not meet the legal criteria of criminal organization. These individuals may also exploit girlfriends or other women involved in prostitution. They were not formally involved in organized crime, but there was a certain street loyalty and network of co-offending criminal activity that existed among them.

Because family life is often disrupted, and the sense of family for Aboriginal youth is broken, at times, gangs provide a sense of kinship and protection. Where Aboriginal gangs were identified, they are often locally-based and linked to street prostitution, but not through an organized circuit where there is movement through big cities because the gangs are very small. An exception to this observation was that, in Vancouver, it was noted that Aboriginal gangs move Aboriginal women involved in prostitution from place to place.

Law enforcement in Nunavut and Newfoundland stated that they knew of no street gang activity in their jurisdiction. In Labrador, there is an "underbelly" of pseudo-gang activity, where men have power and control over women in unhealthy environments.

The way people define and conceptualize gangs makes it difficult to really determine how much "gang" activity is related to the trafficking of Aboriginal women and girls. If gangs are equated with only sophisticated organized criminal activity such as the Hells Angels, they do not appear to be affecting a large majority of women in trafficking: Aboriginal women are primarily trafficked on the street or are involved in the sex trade on the street, not the higher-tier in strip clubs or escort services. If less sophisticated street gangs or co-offending networks that meet the *Criminal Code* definition of criminal organization are considered, there does appear to be fairly significant involvement in sex trafficking of Aboriginal women and girls at the local level in a number of areas of the country. An exception to this localized gang involvement in trafficking may be in Thunder Bay and, because of the proximity of the U.S. and Manitoba, it could be a draw for Aboriginal specific gangs to traffic women across wider geographic areas from those points. In a few other cases, it may be that family networks, where family members benefit from the sex trafficking of kin, might constitute criminal networks similar to gangs.

3.12 Law enforcement of human trafficking

Thirty four interviews were conducted with law enforcement agencies from across Canada, including municipal police services and RCMP detachments. In some cases, several individuals participated as part of the same organization, however, in different roles with respect to human trafficking. Of the 34 police agencies that participated in the study, 29 interviews were conducted within the geographic focus of the study (Central and Eastern Canada and the North) with 13 police officers interviewed from Ontario and Quebec, 13 officers from Eastern Canada, and four from the North (including Northern Quebec).

A separate set of questions was used in the interviews of law enforcement personnel (See Appendix "A"). The questions focused primarily on the police organizations' preparation and response to human trafficking, outreach initiatives, the number of interactions they had with Aboriginal women and girls (either in the sex trade, or victims of human trafficking), gaps and challenges faced by police in effectively enforcing the human trafficking laws, and information sharing among police agencies, as well as partnerships with support services. Although the focus of the police interviews was on the law

enforcement aspects of human trafficking, many of the participants also included details related to the questions provided to support agencies and Aboriginal organizations.

3.12.1 Prevalence of human trafficking of Aboriginal women and girls

Interview participants were asked to report on the number of human trafficking cases within their jurisdiction, as well as to estimate the prevalence based on contact with victims and information provided by their partner agencies. Based on the clandestine nature of human trafficking, accurate statistics on human trafficking are difficult to obtain.

Participants identified human trafficking as a "ghost crime," adding "there are thousands of victims, but people don't report this type of crime." All of the police organizations interviewed highlighted the difficulties of collecting data and reporting on cases related to the Aboriginal status of victims of human trafficking. Traditionally, victims are reluctant to disclose trafficking, and may not see themselves as victims. Many consider their traffickers to be "boyfriends." In addition, many Aboriginal women are reluctant to disclose to law enforcement the fact that they are Aboriginal. Historically, there has been little trust between Aboriginal communities (and sex trade workers) and the police, and this reluctance is seen as being based on fear of mistreatment by police.

The number of cases of human trafficking involving Aboriginal women and girls reported to the RCMP Human Trafficking National Coordination Centre was "less than 10" since 2007, the year that national data collection started. A participant confirmed, however, that most law enforcement agencies do not collect specific data on ethnic background or if the victims are status or non-status First Nations, Métis or Inuit. In contrast, information from social agencies provided a much higher estimate of the number of trafficked Aboriginal women and girls. Many of these organizations were in closer contact with these women and girls, and were more likely than police to hear detailed disclosures or their situations and learn their ethnic identity.

Several police agencies serving areas where there are major infrastructure or natural resources projects, reported that they have seen an increase in the sex trade and human trafficking when major projects related to mining, oil and shipbuilding get underway.

Some police services and individual police officers are more experienced at identifying human trafficking indicators when dealing with sex trade workers, sexual assault and domestic violence cases. Other study participants have reported that most Aboriginal sex trade workers they know of, work on the streets, and they do not believe that the women are being trafficked, but that many are "protected by their boyfriends." In most of these cases, boyfriends are reported to be drug-dependent, but are not always classified as pimps or traffickers by police. There is considerable disagreement among investigators in different agencies about whether fact patterns such as these (i.e., where women and girls are exploited by 'boyfriends') generally constitute cases of human trafficking.

Although police services reported few instances of human trafficking charges in cases where victims are Aboriginal women and girls, they reported that instances of sexual violence are much higher in Aboriginal, than in non-Aboriginal populations, for both offenders and victims. A participant from a Western city noted that the majority of transgendered women working in the sex trade are Aboriginal, and are at a high risk of violence.

Not all police agencies capture the ethnic background of victims, so the numbers may not be accurate. In Halifax, a study participant estimated that approximately 15% of sex trade workers were Aboriginal, based on what is observed, although there are no firm numbers of how many of them are being trafficked. One Ontario police service reported one case with an Aboriginal woman as the victim; the trafficker is in jail, and the case is awaiting trial. In the North, it was reported that two cases were dealt with in the last two years: one of sexual exploitation of young boys, and the other case had multiple charges, including one of human trafficking, with a 14-year-old Inuit victim. In this last case, the human trafficking charge "was thrown out by the judge, due to 'issues of consent.'"

One officer in the Maritimes shared: "I was on the road for 14 years and, looking back, I realize that I saw human trafficking in Aboriginal communities and among non-Aboriginals. Within my own files, there was a case of an addicted mother selling her daughter to a drug dealer." Another officer in BC said: "A number of years ago, when I did investigate files, in hindsight, I should have been laying human trafficking charges, but I wasn't aware of the subject at the time."

A Southern Ontario officer stated: "Human trafficking is far more prevalent than people realize. Victimization is horrendous, and it will only get worse. It will become more prevalent because of social media." An Ontario police officer commented: "The average age of recruitment of human trafficking victims is 14 to16 years old. That doesn't mean we'll find them at those ages, but we may find them at 18 to 20. It's a huge juvenile problem. Last year, 33% of sex workers identified were juveniles. If we had the resources and the time, that number could be doubled or tripled." An officer from a Western province noted: "As Police, we're standing on the tracks and can see it coming for many years."

The hidden nature of human trafficking makes it difficult to determine exactly how widespread it is in Canada. Despite the lack of solid statistics, the majority of police agencies agreed that human trafficking is much more prevalent than what comes to the attention of police, and is on the rise.

3.12.2 Human trafficking data collection

When talking to police about the trafficking of Aboriginal women and girls, the issue of how data and intelligence is collected came up because reliable sources of information are required to understand trends in human trafficking as well as understand how Aboriginal identity relates to being a victim or offender. All police participants said that there is no national, centralized information repository on human trafficking cases, on-

going investigations or suspected cases. Although the RCMP Human Trafficking National Coordination Centre tracks the number of cases across Canada, the exchange of information and intelligence is voluntary, and is left up to the individual municipal police agencies to provide details.

Some participants believe that the charge of human trafficking is not necessarily applied in all cases where human trafficking has actually occurred. Charges are typically negotiated with Crown Prosecutors based on the likelihood of conviction. Often, if the credibility of victims and witnesses is in question, charges other than human trafficking will be laid if they provide a higher likelihood of conviction. The police officers interviewed reported a variety of charges that are related to human trafficking cases for the purposes of sexual exploitation, including living off the avails of prostitution, operating a common bawdy house, assault, sexual assault and forcible confinement. Police crime analysis is usually required to identify evidence of human trafficking in case files, due to the variety of related charges that may be attached to a case. Many police participants reported that this type of crime analysis was resource-intensive and few agencies had sufficient resources to focus on the analysis of human trafficking within police files. However, a few of the agencies interviewed have assigned their crime analysis resources, as part of their regular duties, to keep track of cases where elements of human trafficking are involved.

All police services have a Records Management System (RMS) that captures data on all cases – names of offenders, victims, descriptions and codes related to the offenses. In some cases of human trafficking, the original complaint is coded in RMS as something other than human trafficking. Calls for domestic violence and sexual assault, after some investigation, may actually be cases of human trafficking. It was reported that, at times, the original codes in RMS are not retroactively updated as a result of an investigation, therefore skewing the statistics.

One Southern Ontario police service has added a code for sex worker into their system as a flag for front-line officers. When cases are reported that have specific indicators, such as domestic assault by a boyfriend, and the woman is a sex worker, the files are immediately sent to the Counter Exploitation Unit to investigate.

> If a domestic case comes in, where he assaults her, you need to look into the case. If she's a[n exotic] dancer, and it looks like a pimp relationship, it actually looks like a human trafficking case. That's a problem we have across the board. There are no codes in the Records Management Systems in many other agencies for human trafficking. In our police service, if she discloses as a sex worker, front-line officers must notify the Human Trafficking unit. They take the investigation and turn from a domestic case it into a pimp investigation. That's how many cases come to light. I don’t see this happening across the board with other police agencies.

It was reported by one police detective that most victims have been trafficked for years; their pimp has likely been charged with numerous offences other than human trafficking,

such as drug or weapons-related crimes. The fact that the criminal records of many pimps are associated in police records keeping systems with other serious offences in addition to human trafficking related offences makes it difficult to identify and track human trafficking activities because the serious offences not immediately recognizable as being connected to trafficking can appear first in data system queries or analyses.

Most police agencies do not ask for, or collect, information on victims' race or ethnicity. Unless victims self-identify and police capture the information as quantitative data, it is not possible to accurately track the number of Aboriginal women and girls who are trafficked. However, most of the police participants in the study did report that they believed that a large percentage of the women in the sex trade with whom they came into contact are Aboriginal. In the Western provinces, police participants observed that the majority of street sex workers were Aboriginal, implying that women and girls trafficked in those venues would be more likely to be Aboriginal, too.

Where women do self-identify as being Aboriginal, the data may be contained within the text of police reports, and not specifically coded for easy search and extraction. All police services interviewed do not actively collect specific information related to Aboriginal background, community of origin, transit communities, how they were recruited or if they were in foster care, unless the victim specifically discloses these details unprompted. Most records management systems do not have classifications for these types of data either, which complicates the possibility of undertaking crime analysis or criminological research.

3.12.3 How are Police Services structured to address human trafficking?

The way that police organizations are structured to identify and investigate human trafficking differs across the country, from fully-dedicated units to having no formally-trained or experienced investigators. Based on the police services interviewed, it was apparent that the major urban centres in the West and Central Canada were generally more experienced in addressing human trafficking situations than smaller municipalities in the Maritimes and in the North. This trend appears to be associated with population density, the larger sex trade industry, and the placement of the large urban centres along established circuits of movement of trafficked women and girls across Canada and to the U.S. Many of the current human trafficking or Counter Exploitation Units grew from experience derived from existing Drug, Gang and Vice Units. One Ontario officer explained that:

> Police throw money at gangs and drugs. We need to switch our focus and put more resources to human trafficking. In the drug game, they're selling cocaine. But, with human trafficking, people are being sold over and over. In our office, over 75% of our investigators are looking at the commodity of drugs. Only 25% of those people are looking into human trafficking. There's a huge problem there, and it's the same anywhere.

Another office noted, **"**At one point in our police service, you heard 'There's no human trafficking in our jurisdiction, no pimps.' Just because we haven't been successful in identifying and rescuing victims, it doesn't mean it's not happening. Now, we agree that we've been missing all this stuff for many years. That's why these pimps have been running rampant for so long."

Some participants noted that there are gaps in some police agencies' ability to identify and address human trafficking, despite documented and first-hand victim evidence that this crime is present in their community. Some police participants pointed out that some of these police services are in smaller cities that are situated close to large Aboriginal communities that could benefit from education and establishing investigative expertise on human trafficking. It was also reported by some police participants that in cities where there is no visible, concerted effort by police to identify and investigate human trafficking, these cities are viewed as being a "free ticket" by traffickers who believe they can operate with impunity.

Many police services have Aboriginal Liaison Officers who work closely with Aboriginal communities. Part of their function is to raise awareness of human trafficking among Aboriginal populations. The RCMP has three Human Trafficking Awareness Coordinators, in BC, Quebec and Nova Scotia, who work within communities to raise awareness, establish partnerships, gather intelligence, as well to conduct investigations. It was pointed out that the original six RCMP Human Trafficking Awareness Coordinator positions were reduced to three in the spring of 2013.

In general, police participants reported that police services across the country are facing budget constraints and many are reviewing their priorities, their core service offerings, and exploring partnership opportunities to more effectively deliver service while juggling available funds and human resources. Many are not creating new positions for investigators, and must look within the organization to identify where the needs are greatest. Most police services assign resources according to crime volume. Often these decisions are based on statistics derived from reactive calls for service, and not on the need for proactive investigations. If there is an increase of complaints about alleged drug dealing, police are likely to place a priority on the crime, and assign more resources to address it. Since human trafficking is rarely reported, and the charges laid in cases are so varied, it is difficult to make the case for more resources to investigate these crimes when statistical reporting within police services does not support it. Several police participants felt strongly that police services need to make human trafficking a priority, with the understanding that finding the victims and offenders will be based on the dedicated efforts of investigations rather than calls for service.

3.13 Education on human trafficking and Aboriginal culture

3.13.1 Human trafficking education for Police

Training for police officers on human trafficking varies depending on the region and the police service. Study participants indicated that available training ranged from three

hours to several days, while some police services have no formal training on human trafficking at all. While most of the police officers interviewed had received some form of training on human trafficking, some research participants had not received any formal human trafficking training, and were not aware of available training within their police organization.

Where training is available, most police services provide an overview of human trafficking to front-line patrol officers. Some police services include components outlining the effects on the victims, and how to deal with them with empathy and respect. Where no formal training is offered to police officers, there is also no dedicated unit for human trafficking investigations, and there were few or no cases of human trafficking reported within their jurisdiction. One police participant reported, "When the case first came up, superiors said 'we're not laying those funny charges.'" One officer that provides training to law enforcement agencies reported:

> Police services need to get proper training on human trafficking. In many cases, police services from smaller cities or communities where there are large Aboriginal populations, will send only one individual on the human trafficking training. When they return to their home base, they're the only ones in the organization who understand human trafficking but have no field experience. The end result is that their police service is not equipped to deal with human trafficking.

Training on human trafficking for law enforcement personnel is available through various sources. The one-week Human Trafficking Investigator's course at the Canadian Police College is offered to police officers and Crown Attorneys. This course contains a component on the vulnerabilities of Aboriginal women and girls, and the effects of colonization, residential schools, and experiences of Aboriginal persons that make them vulnerable to human trafficking. The course is offered twice yearly and, as of December 2013, four courses have been presented, with approximately 100 people trained.

The Montreal Police Service provides a course to all police officers called "Les Survivantes" (The Survivors). The course was developed with a victims support group and includes former sex trade workers who were exploited. The objective of the training is to provide police officers with a better understanding of negative interventions by police, and some best and worst practices in dealing with sexually exploited women. The course has received positive feedback, and plans are underway to include it in the province of Québec's police cadet training.

Memorial University in Newfoundland provides a component of human trafficking as part of the Domestic Violence module for police cadets. The human trafficking component is to be expanded; it was anticipated that it may become more of a priority crime issue fairly soon, "with all the oil money coming into Newfoundland." Niagara Regional Police developed and delivered training on human trafficking to front-line officers, Crown Prosecutors and investigators. In Nunavut, it was reported that there is no formal human trafficking training for police officers. Efforts are currently underway to

provide officers with training on the handling of child abuse and sexual assault cases, as well as human trafficking.

One police officer shared:

> Where we are at now is where we were at 20 years ago with Domestic Violence. We're in the infancy stages of recognizing that human trafficking is way more prevalent than we ever imagined, and that there's a psychology at play and there's a certain way to respond to it. We can learn from Domestic Violence and Child Abuse experiences, and start putting protocols in place now. It's not just someone on the street corner who wants to be there.

Police participants agreed that formal education on human trafficking and the specialized approach to victims and identifying offenders should be mandatory for all police services. Front-line patrol officers are well-placed to interact with sex trade workers, and with more education on what to look for, could provide earlier identification of trafficking cases.

3.13.2 Education of Crown Prosecutors and Judges

It was reported by several police officers that generally there is not a good understanding of the issue of human trafficking among Crown Prosecutors and judges. Some believed that no formal training appears to have been provided across Canada when Bill C-49, *Act to Amend the Criminal Code (Trafficking in Persons)*, came into effect modifying the *Criminal Code* and the *Immigration and Refugee Protection Act*.

One police participant commented:

> About 90% of judges and Crowns lack a clear understanding of human trafficking charges. There is complacency among some judges. There is a belief that girls volunteer to be prostitutes, as a source of income." Another detective noted: "Judges need more education. For example, judges don't understand that the majority of victims return to the sex trade, even after they've gone to court. Judges don't see why they would go back to the trade. It's the only thing these women know to survive. We need to enlighten judges who assume that the women and girls won't return to the sex trade and, when they do, judges often decide that it reduces the victims' credibility. It should not reduce their credibility in the Court's eyes.

One police officer reported that "[In our jurisdiction,] no judges have requested human trafficking training to date. Many are not informed, but think they are. Some judges have refused the training. One said that he 'didn't want to be one-sided when I get to hear these types of files.' Some feel that they won't be able to remain impartial if they learn more about the impact of human trafficking."

Some police participants indicated that they work closely with Crown Prosecutors and, in a few cities, there are Crown Prosecutors dedicated to prosecuting human trafficking cases. Others, although not officially designated, tend to be the ones called upon for human trafficking cases. One police officer shared:

> The biggest challenge for Crown Prosecutors is to educate judges in court. I had to advise a judge and Crown Attorney about the new law and the minimum sentence of five years for trafficking a minor. Neither the judge nor the Crown Attorney were aware of the minimum sentence, and almost made a two-year plea deal! The courts don't recognize the degree of victimization and how heinous the crimes are. The penalties applied by judges need to be stiffer. Human trafficking ruins lives (essentially taking a 12, 14 or 15-year-old's life away). The U.S. sentences traffickers to 20 to 25 years for the first offence. Traffickers are predators and should be likened to pedophiles. In a sense they are, as they're trafficking girls under 18 years.

One participant from the North commented:

> Judges need to be educated on the parameters of human trafficking charges and what the challenges are. A 14 year-old girl was brought from another community, was put out and told to pay for her stay. Human trafficking charges were laid, among others, including living off the avails of prostitution and sexual exploitation. The evidence was solid. But, the judge decided 'consent was an issue,' and threw out the human trafficking charge. It's so culturally acceptable to look at prostitutes and say they're the author of their own misfortune. There's this 14 year old girl who just wants to grow up, and this is what happened to her. Consent should never have been an issue.

Although there have been some effective training efforts for Crown Prosecutors and judges across Canada, it is clear from the responses of law enforcement participants that further concerted efforts are required to educate the judiciary on human trafficking and its complexities in order to effectively prosecute human trafficking cases. It should be clarified that in November, 2013, the Federal, Provincial and Territorial Working Group on Human Trafficking finalized a "Handbook for Criminal Justice Practitioners on Trafficking in Persons."[35] This is a good resource for training of the judiciary.

3.13.3 Aboriginal culture training

The majority of police services interviewed reported that they received training on Aboriginal awareness, including cultural history and the effects of colonization and the residential schools. As an example, the Saskatoon Police Service has an extensive training program that includes spiritual aspects, treaties, oral traditions, and history. All Saskatoon Police officers (including the Chief of Police) have attended a mandatory three day course on Aboriginal, as well as Lesbian, Gay, Bisexual and Transgendered, issues. The Aboriginal component focuses on Aboriginal history. It was reported that the training has resulted in better investigations and enhanced relationships with witnesses and victims.

The RCMP provides mandatory on-line Aboriginal awareness training for all members. The training includes content on vulnerabilities of Aboriginal women and girls, and the effects of colonization, residential schools, and experiences of Aboriginal persons that make them vulnerable to human trafficking. The information has also been incorporated into RCMP human trafficking education.

The Professional Development Centre for Aboriginal Policing (PDCAP), a department of the Canadian Police College, was established in 2006 for police officers working in Aboriginal communities. It offers courses in management, enforcement techniques and crime prevention. All training is designed to educate police officers on key social issues prevalent in many Aboriginal communities. The Senior Police Administration Course includes topics such as: Organized Crime Disruption in the Aboriginal Community; Aboriginal Gang Prevention and Diversion Strategies; and Integrated Approaches to Domestic Violence. These courses focus on enhancing the capacity of police to deal with crime and the social implications of crime. A component on the human trafficking of Aboriginal women and girls has been added to the curriculum.

The Ontario Provincial Police provide a mandatory Aboriginal Awareness training for officers. During the four-day course, officers learn about the history of Aboriginal people, residential schools and the heritage of some First Nations. There is also a human trafficking component to the training. In Newfoundland, the municipal police are trained on Aboriginal culture by the Native Friendship Centre; human trafficking is touched upon, however, it isn't Aboriginal-specific. The Sureté du Québec also provides a strong education program on Aboriginal culture, while the Montreal Police provide no formal training on Aboriginal history or culture.

In the North, a study participant observed that "there is no corporate knowledge of the North or Inuit culture within the RCMP." This is a by-product of the high turnover of "senior officers who come from the South, stay for two or three years, and then leave." In addition, there are about 18 Inuit RCMP personnel (sworn and civilian) in Nunavut, however not all of them speak Inuktitut. Efforts are underway to augment cultural orientation training to officers, with the assistance of community members who are knowledgeable on both the cultures of the North and South; finding people with solid knowledge of both cultures is proving to be a challenge. One police service in Southern

Ontario reported that although there is no specific training on Aboriginal culture, officers receive general training on the vulnerabilities of potential victims. Training includes components on psychology and what might make a victim more attractive to a trafficker.

All police services confirmed that education and awareness of Aboriginal culture provide a better understanding of the challenges and vulnerabilities of women and girls to human trafficking. Where education includes participation in Aboriginal ceremonies and interaction with Aboriginal people, it sets the stage for better relationships and trust between Aboriginal people and the police.

3.14 Response of Police Services

Police participants indicated that the general approach to women and girls in the sex trade had shifted in recent years. Enforcement activities have traditionally tended to be in response to complaints from community residents and businesses, and focused primarily on the enforcement of laws surrounding sex trade activities, with enforcement primarily targeting the sex trade workers. In recent years, police priorities have begun to shift; the police agencies interviewed reported that the safety of the sex trade workers is a priority, and they have incorporated outreach initiatives into their service offerings. A police officer explained, "As law enforcement we need to let go of the idea that we run the show. The victims run the show… It's about the full rehabilitation of a human being."

The majority of police reported that their efforts to investigate human trafficking are proactive; there are very few women who self-identify as victims, with a few third-party complaints. The police look for exploited women and transgendered people and for people who do not control their own travel documents or do not know their way around. Investigations may look for human trafficking flags or indicators related to the use of hotels and content of Internet ads to identify potential victims.

Although most cases of human trafficking are thought to be unreported, some investigators will still complete a report even if a victim does not admit to being trafficked, in case new evidence comes to light. One police officer pointed out that "either the victims are too afraid, they don't believe they'll get help or don't identify as a victim." They are "not happy, but don't know exactly what's going on." One of the principle reasons for the under-reporting of human trafficking cited by many study participants, particularly among Aboriginal women and girls, is that there is little or no trust of police. In order to build trust, the majority of police agencies interviewed reported an increased priority on establishing better open lines of communication with sex workers and building relationships with support agencies that assist them. More focus is being placed on outreach to women and girls in the sex trade. One Ontario police officer noted, "We use every technique we know to get a statement from a victim. We don't give up. If we don't get the statement, we might go hard on the pimp. A lot of pimps are also trading in drugs, guns, etc. We'll go at them with different ways."

The Internet presents additional challenges to police services. The current trend toward on-line advertising for the sex trade has seen some police services increase their

investigative efforts to identify human trafficking cases. Two of the organizations interviewed reported that they are reaching out to owners of on-line escort message boards to work on strategies to identify underage sex trade workers and potential cases of human trafficking.

As part of the RCMP's public education efforts, the RCMP Human Trafficking Awareness Coordinators have distributed "I'm not For Sale," a general awareness Human Trafficking Toolkit, to First Nation, Inuit, and Métis communities across Canada, to help raise awareness**.**

Outreach to women and girls in the sex trade is achieved through various approaches, dependent upon the individual sex worker's situation. Some police services conduct outreach projects where they will text sex trade workers from ads on the Internet, and arrange to meet to chat. Officers meet the women in hotels, interview them to determine if they are being controlled, and offer them help and support, including their contact information and the phone number of a 24-hour crisis hot line.

One participant reported that their police service has a dedicated Sex Trade Liaison Officer who works with sex trade workers first, if community residents complain, instead of asking the worker to move to another area that might be less safe. But, within the same police service, many police officers avoid talking to sex trade workers for "political reasons" because "police are seen as keeping them from working." The participant described historical tensions between police and some support agencies or lobby groups that view the sex trade as a valid career choice, and have been vocal in their objections to police intervention and charges under the prostitution laws, as well as police performing outreach activities with sex trade workers. These 'political tensions' were cited as a barrier to police efforts to establish more positive and trusting relationships with women in the sex trade.

One police service reported a Sex Trade Worker Registration Program, whereby the women volunteer to provide their name and photos (including tattoos). If officers do not see them for a while, they are able to ask other agencies to look for them.

Several police services have worked with front-line support agencies that have relationships with experiential women to develop Resource Cards for patrol officers to reach out to women who are trafficked. These cards contain questions that patrol officers can ask that are sensitive to the needs of street sex workers, and that are not "investigative" in nature. A police officer explained his approach:

> Our response used to be based on calls for service. Now we take a more proactive outreach. We are currently working on 10 to12 proactive investigations of human trafficking. All of our front-line officers are trained. Now, where cases would have been seen as domestic violence, some have turned into human trafficking as a result of the training we've received.

Many study participants believed that the shift toward outreach and intelligence-based investigations is a positive trend in combatting human trafficking. Police are recognizing that new and innovative tactics are needed to reach out to potential victims of human trafficking in their quest to arrest and charge offenders.

3.15 Information sharing among law enforcement agencies

Collaboration and sharing of information between police agencies were identified by study participants as critical elements in the enforcement of human trafficking laws. Although many police services have established informal networks, all of the study participants said that better coordination was needed to provide police with accurate and timely information on cases. A police officer explained, "There are jurisdictional issues between some police departments and no centralized approaches to missing people across Canada, even among neighbouring police departments. It's easy to move people. Police need to share information about when people are moved and where they're going."

There is currently no central national information portal for law enforcement to track human trafficking cases as they move between provinces and jurisdictions. Additionally, it was reported by all police participants that there is a lack of consistency and interoperability among police records management systems that would enable real-time access to information on potential victims or traffickers, "collecting national police statistics would be a 'Herculean feat.' There's no consistency across the board with respect to coding or application of police Records Management System codes."

Despite the challenge of electronic access to current information and intelligence, the majority of police agencies reported that they collaborate closely with colleagues in other jurisdictions on human trafficking investigations, and share information on movements of potential victims and traffickers. One investigator commented: "People fall through the cracks as soon as they move. If it wasn't for our unofficial network, where we can email other officers, we wouldn't know about movement. A national database would allow flags to come up on street checks. Right now, it's manual, through phone calls and emails." Another noted: "Our victim today is your victim tomorrow." Some of those interviewed participate in a national network of approximately 30 police services that communicate via a secure teleconference on a quarterly basis, to share investigative strategies and criminal trends across jurisdictions and to track cases.

Police participants reported that they could benefit from a centralized information repository that contains key information on cases and intelligence on human trafficking activities across Canada. Such a repository would be accessible by all municipal police services as a means to assist with their own investigations and those of other jurisdictions. It was reported that one Southern Ontario police service has funded, and is developing, a database of human trafficking victims and traffickers, for all police agencies to use. The first in Canada, the plan is for it to be accessible on smart phones, allowing investigators to have quick access to information when they come in contact with potential victims.

3.16 Needs of Aboriginal women and girls

The research team collected evidence that indicates that the needs of Aboriginal women and girls who have, or are being sexually exploited, go beyond what most support agencies can provide. The nature of the violation of human trafficking is unlike domestic assault and years of follow-up support are required. These Aboriginal women and girls require additional life skills, education, sustainable work, safe housing, medical services, mental health supports, culturally-appropriate and safe health care, and a coordinated and complete approach to service delivery. Many participants believed that services would work best if culturally-specific counselling and specialized care were made available to Aboriginal women who have been trafficked.

The majority of study participants identified the importance of gaining the trust of women who have been trafficked, whether it is during police investigations, the court process, or as part of support services to help with their rehabilitation. As stated earlier, the vast majority of trafficked Aboriginal women and girls do not trust the police. Police participants said that building trust is achieved through individual officers' efforts, and that it takes time to build trusting relationships. Several police agencies stressed the importance of careful selection of investigators for human trafficking cases. "It's a rare crime, that needs high motivation and special skills are required for investigators. Victims learn how to read people very well, and they will notice if a police officer is not fully engaged."

With respect to front-line services providers, many provide general support to Aboriginal women and girls who experience violence, providing emergency shelter and other supports; however, not all support agencies have experience with human trafficking cases. One subject matter expert pointed out that one barrier to helping Aboriginal women and girls "may be the front-line services providers themselves, who receive funding to address the needs of the women and, where front-line workers have not lived the life on the street as sex workers, they are limited in their ability to connect with the experiences of the women they are helping." Several participants said that having experiential women as front-line support workers would be more effective in building trust with the women, and thus better able to understand their experiences and recommend appropriate supports.

It was noted by study participants in the North that most front-line workers are from the South, and stay only two to three years. This has a significant impact on the people seeking their help; relationships and the trust that have been built over time are halted, and must be re-built from the ground up when another support worker arrives. The same was said of the police officer stationed in the North; the majority have short work terms, and each time a new officer arrives from the South, the whole cycle of cultural education and relationship building has to start over.

A similar challenge was identified with respect to sustainable relationships with police. Many police agencies have mandatory job rotation programs which see investigators

transferring to other positions every three to five years, essentially severing relationships that have been built over time with victims and partner agencies.

The general sentiment among study participants was that there were a great number of varied supports available for women and girls in crisis, but few of the services directly address the complex needs of Aboriginal women and girls who have been or are being trafficked. Many of the support services have restrictions on who they will serve, and the majority have strict time limits on the length of time support can be offered. Many agencies will support adults only, and will not deal with juveniles. It was noted in several interviews that numerous agencies must be contacted to have the needs of those being victimized met.

Police also noted that, when they find a victim of trafficking, they routinely have to call around to see which services are available, which ones have room, and what services would be appropriate for immediate support to the victim. Often, support agencies have normal working hours and are not available during the night, when most of the contact with victims is made. Several police participants identified a need to have one central support number to call; a service that would coordinate contact with all available support agencies to fit the needs of the individual victim.

A number of participants identified emergency and longer-term health care as a significant need for Aboriginal women and girls who have been or are being trafficked. Many victims suffer from addictions, trauma, and physical and mental health issues. Greater emphasis on providing health care to street sex trade workers was identified; one suggestion was to provide street nurses to work directly with the women. A police offer in Nunavut commented, "There is no mental health system in 90% of the territory, no alcohol or drug rehab. [And] there's a general complacency of the effects of sexual abuse."

There are some sexual assault resources and some mental health resources across Canada, but the research team does not see evidence for anywhere near the types of resources required for women and children who have either been sexually abused, assaulted, exploited or trafficked, as expressed by study participants. Many hospital emergency departments are well-prepared to treat sexual assault victims; however, study participants identified a need for specialized emergency health care for victims of human trafficking, such as a separate intake counter in emergency wards, similar to how sexual assaults are dealt with.

Safe housing was identified as a significant need among many victims of human trafficking. Although many emergency shelters exist across the country, there are time limits on the length of stay. Often, women are sent back to the situations that contributed to their problems if they do not have secondary housing to go to following their stay in the shelter. Secondary housing for longer-term shelter was identified as a major requirement to help women re-establish themselves as part of their rehabilitation.

In many small communities, there are recognized issues where the victims of violence or sexual assault or exploitation live in the same small community as their perpetrators. Finding physically and psychologically safe housing in these communities is a major challenge, often requiring the victim to be relocated to another community, away from family and known support systems.

The RCMP in Nunavut is currently working with social workers, public health nurses, and school guidance counsellors. The Child and Youth Advocacy Centre is trying to build a safe house for sex abuse victims. "Currently victim interviews take place either at police stations (where suspects are) or at the welfare offices. Victims don't feel safe."

In relation to Inuit women, there were several issues noted by all participants from the North, in Labrador and Eastern Canada. It was suggested by two organizations that culturally specific detox centres are needed, with programs that last long enough to make a difference with a response team that looks after the safety of Aboriginal women and girls, and deals with addictions and mental health issues. One front-line support agency recommended that a specialized shelter with a 72 hour window be made available to allow the women to decompress without interference or pressure to make decisions. This could be in the form of a recovery centre that would holistically provide culturally-appropriate services for Aboriginal women and girls who are at risk; these services could be provided by the women who have left the sex trade and would include a role for Elders in the programming.

The involvement of Elders was cited a number of times as an important element of supporting Aboriginal women and girls who are victims of human trafficking. A front-line support agency recalled:

> One woman who was trafficked in Vancouver, got into heavy drugs, and her Grandmother always kept the light on for her; she always kept her heart open. Those are the kind of Elders that I try to get in here. When I see that, I interview them and try to get them here. We have one working with us now, and another two are coming in. Elders really help with the dynamics and to calm things down. They provide connections back to the culture. "Our Grammas are still here and are rooted to the ground."

The research team's analysis of participant responses indicates that programs that are culturally safe and appropriate must be Aboriginal-focused and from an Aboriginal point of view, inclusive of Aboriginal spirituality and healing modalities. An example of Aboriginal-focused support could be the provision of Arctic Char and sealskin for Inuit women; it is part of their culture, and it will go long way in assisting the women to feel comfortable. The addition of spiritual people on the street was suggested by a participant from the East.

In the East, a service organization emphasized that quick thinking and quick action are critical for the safety of the runaway youth that they deal with, who are either involved in sex work or are being trafficked. Participants suggested that funding is required to get

children out of unsafe areas, without all the bureaucratic red tape, and with a co-ordinated approach to service delivery. There are women's shelters in Halifax, but no safe houses for trafficked women or sex trade workers; the Salvation Army is in the process of setting one up. A front-line support agency added, "Service organizations need a broad, flexible mandate without the ridiculous criteria they have now. For instance, youth do not qualify for services (and safety) if they are under 19 and can live with parents. But [their] parents may be the source of the problem!"

Many, if not most participants, emphasized the housing crisis throughout Canada as an overwhelming problem. The lack of subsidized day care for children was also noted as a barrier for women to get assistance when they are trying to leave the street life.

It was also clarified by a police officer that:

> You either have to get the victims very early in the process or very late in the victimization process. In the middle, they're either still in love, or so fearful that they don't think there's any way out. I think of it as Stockholm Syndrome. They get indoctrinated over and over, and give up mentally in order to survive. Or they become complicit, and act as the pimp in many cases. When do they stop being a victim and start being a criminal, from a law enforcement perspective? If they're recruiting others, it makes it problematic. We need more trauma counsellors and training centres, long-term help and rehabilitation for victims.

The signs of youth at risk should be heeded early. As a service agency in the Maritimes recalled, "we don't take running away seriously enough. If a kid has a history of sexual abuse, and a history of running away, the probability of them ending up in the [sex] trade is very high. Running away is the early warning system. Why aren't we paying attention? Child welfare agencies don't share information, so it's hard to find runaways." A subject-matter expert commented, "There is an overabundance of Aboriginal kids in care. Many run away from group homes. Child welfare doesn't look for them, so it's easy to disappear. Information is not shared between child welfare offices. We don't take running away seriously enough."

One police officer offered an analogy to highlight the need for strong supports for women, children and families at risk:

> It's like if you build a house out of balsa wood, and keep it doused with gasoline at all times, and then go around the neighbourhood and give everybody matches to play with, and then blame the fire department when it burns down. That's exactly what we're doing with police agencies. We have families in crisis, who are not getting support, and children are ushered into these predetermined paths that are very predictable, because history has shown that this [sexual abuse of children] is what's going to occur. What are we doing to get ahead of that? Police can't fix it after years of abuse. Support for families is needed at the front end.

This research indicates that the needs of Aboriginal women and girls who have been trafficked cover a multitude of disciplines, from medical and mental health care, addictions counselling, safe and affordable housing and child care, to skills development and employment. Add to these the importance of culturally-specific supports and it is clear to participants in this study that the variety of supports available to Aboriginal women and girls needs to be more seamlessly coordinated to improve the likelihood of full recovery.

3.18 Gaps and Barriers

The lack of public education and awareness was noted to be an issue by study participants. It was evident to the research team and many study participants that many First Nations people do not acknowledge the sexual exploitation and trafficking that occurs on reserve. Education was recommended for Aboriginal leaders and people in the communities they represent. One front-line support agency reported:

> We can't get onto reserves; even on my own reserve. We tried to meet with one [school] principal to offer education and a video. They didn't return our calls. We went to the Chief, and nobody returns our calls. It's almost like they've got their heads in the sand. Either they think it's not happening here... Like FASD. How long did it take for us to understand we had FASD? Now we have to get people to understand sexual exploitation and the need for support is huge. Human trafficking doesn't have to start off with big money. It can start with $10.00 and feeling up my shirt. So, my job is education.

There is a perception by some study participants that sexual assaults appear to be relatively tolerated in some Aboriginal communities with which they are familiar. Community members may disclose the assaults to local health units, but not to police. "Grandparents don't report. But the family of the person assaulted may hold it over the offender's family's head 'so when our family needs something, they'll make sure we get it'."

One of the principle barriers for police in laying human trafficking charges is the reluctance of victims to come forward and to testify against their traffickers. In many cases described by study participants, it was reported that victims did not see themselves as victims of this crime, and therefore it might be argued by some that they do not meet the criteria of fear for safety required for human trafficking charges under the *Criminal Code*.[36]

The police participants mainly cited challenges related to burnout, mandatory job rotation and conflicting mandates between police and social support agencies, as barriers to their ability to combat human trafficking. The demands on investigators of human trafficking are high. One agency reported that, in a recent case with multiple victims, the amount of on-going support required for the victims prior and during the court case virtually shut

down the Vice Unit. One investigative unit in Ontario reported over 800 hours of overtime in 12 months.

Many police agencies have a mandatory job rotation program, or tenure program, for specialty units. Where these programs are in effect, investigators are mandated to move to another position within a pre-determined time period (between three and five years), taking their human trafficking expertise with them, and in many cases, severing the relationships they have built with victims, front-line support workers and police partners. "Staff turnover is a risk in any police service. [But avoidance of turnover is] critical to maintain momentum on human trafficking files." One police officer helped to clarify:

> Human trafficking cases are much more complex than homicide investigations. In a homicide, your victim is dead. [You] solve the investigation based on evidence. You don't need that victim to come to court and testify. You have to gather the evidence and bring it to court. If you get robbed at gunpoint, you'll hand over your money, and call the police. The police will gather evidence, but you'll go to court and testify. Imagine that the same thing happens, and you don't call the police, and after video evidence shows you've been robbed, but you deny it. Human trafficking investigations are like that. They're more difficult to prosecute. You need hands-on, experienced investigators to assist. Most police services are having problems becoming proficient in human trafficking [cases].
>
> Human trafficking laws of evidence are very challenging. In a drug case, you have the solid evidence in hand, and the drugs don't need to testify. Victims change their minds, and we need to back them up with a lot of investigative support. We can't depend on the victim alone to get a conviction.
>
> Court delays present a high risk to victims. One victim had to appear in court 14 times, and the average case length is 1.5 to 2 years in court. It's hard to keep victims motivated. Many are dealing with Post Traumatic Stress Disorder.

Another officer added, "We need more trauma counsellors and training centres, and long-term help and rehabilitation for victims. These girls have been broken."

Police also identified challenges with respect to moving trafficked Aboriginal women and girls to another community to ensure their safety, adding: "Their names often identify where they come from. We can't just move them to another Aboriginal community, they will automatically not belong."

Most of the identified front-line support agencies provided specialized support based on individual mandates. For example, many women's shelters do not serve juveniles, and many do not deal with addictions. One of the key barriers to providing service to victims

of human trafficking was the lack of sustainable funding and coordination among agencies.

Communication issues were identified as a barrier to providing supports or investigating cases. One police officer said: “When you're trying to reach women who have returned to some reserves, at times the only phone line is at a general store. It's hard to get back in touch with them.”

Some front-line support agencies that work closely with Aboriginal women and girls identified gaps in culturally-specific supports:

> From an Aboriginal point of view, addiction treatment is often clinical. Because funding comes from government, treatment tends to stick to a very rigid 12-step program. Also, the perspective of Aboriginal spirituality, healing, Aboriginal families and extended families, and [an] understanding of the elements behind the addiction is primarily a clinical one. There are a number of addiction treatment places that do offer Aboriginal insights, but not enough that take into account Aboriginal culture, spirituality, and how we see ourselves as a culture. Although these services don't totally ignore Aboriginal elements, it's not enough to make a person whole.

There are frustrations among non-governmental organizations (NGOs) having to apply to the federal government for “project-specific” funds that run out in one to two years, leaving them at a loss to provide long-term, sustainable programs to support women and children in need. One police officer commented, “That’s not long enough to fully address the issues. You need a generation to make change." A service organization also expressed frustration at funding allocations, “the federal government put all this money into gangs. Our issues are much more grassroots. We don't have Asian gangs in the Yukon.”

The gaps and barriers voiced by all participants identified the need for improved collaboration among governments (federal and provincial), law enforcement, the justice system, service organizations and front-line support agencies. This collaboration could be used to develop appropriate, timely and sustainable responses to the complexities of human trafficking, with a particular focus on the vulnerabilities of Aboriginal women and girls.

3.19 Supports and partnerships

The research identified a large variety of support services for Aboriginal women, youth and children, victims of domestic violence and addictions. Services provided by support agencies included providing emergency housing to women and children who are victims of violence, sexual assault supports, emergency health care, child welfare, 24-hour crisis lines, mental health supports, and services to help sex trade workers exit the trade, among others.

Partnerships among police, Aboriginal and support organizations, were reported to be a critical element in raising awareness of human trafficking, identifying victims and traffickers, and providing appropriate care and supports to Aboriginal women and girls who are trafficked. All of the organizations interviewed – police, support agencies and Aboriginal organizations – reported that they worked with partner organizations to address the complex aspects of human trafficking and sexual exploitation. These partnerships varied in their objectives and their makeup, from direct support to the women and girls, to education and awareness and collaboration on strategies to support and rehabilitate them. One example of such a partnership is the Newfoundland and Labrador Human Trafficking Committee, with membership from municipal police and RCMP, nurses, social agencies, and Native Friendship Centres.

Both Halifax and Newfoundland police services are members of a Human Trafficking committee, with membership from nurses, Native Friendship Centres, social workers, RCMP, women's shelter, and local chiefs, among others.

The RCMP, in Halifax, has trained School Resource Officers with the RCMP's "I'm Not for Sale Toolkit." They are currently working on implementing the training in area schools; the First Nations school board has expressed interest in the benefits to Aboriginal youth if it is made part of the curriculum. Victims Services workers, who see most victims before police interact with them, have been trained on human trafficking. Aboriginal communities are working on setting up Victims Service units within their communities.

Montreal Police have developed a program with partners called "Les Survivantes" ("The Survivors"), which is provided to front-line officers and social agencies to raise awareness of human trafficking. The program is presented by Montreal Police and CAVAC (Provincial Crime Victim's Assistance Centre)**,** and six experiential women who have been trafficked. The program, which has been well-received by officers, demystifies trafficking for police officers and highlights its impact on victims. There is a plan to expand the program to the Québec Provincial Police College in Nicolet.

One police service reported having a very good relationship with Child and Family Services. They have a Crisis Unit, where child welfare workers staff the phones with one central line, and they send the information on children at risk out to the individual districts. Under the coordination of the unit, a child welfare worker is sent out with a police officer to do an assessment for a child at risk. The police service added "we don't have that for adults. There are Aboriginal women who are driven far from home and abandoned when they escape. Where are we going to put her? We might find emergency shelter, and then give her a bus ticket that will bring her back to where she came from in the first place."

Most police services interviewed, have established relationships with Aboriginal organizations, including Native Friendship Centres, Aboriginal school boards, and Elders. Aboriginal Liaison Officers work closely with Aboriginal communities to build trust and to raise awareness of human trafficking and sexual exploitation.

Some police services are working with other provincial organizations and local support agencies to provide education on the specific needs of human trafficking victims. In one example, the Ontario Provincial Police (OPP) have implemented a program to train OPP and Municipal Police officers, as well as probation and parole officers, on human trafficking. The rationale for training probation and parole officers is that, as they regularly deal with women and girls in custody, they will be better equipped to identify potential victims of human trafficking.

A women's coalition of support agencies in the Yukon has united to work with the RCMP to discuss their concerns with the application of the *Criminal Code* in cases of violence against women. They pointed out that some of the language in the *Criminal Code* obscures the level of violence the women face. (For instance, in a situation where a man forced his mouth onto a woman's mouth during an assault, it was referred to as a "kiss".) The Coalition, made up of Aboriginal women's groups, women's shelters and other women's groups like Elizabeth Fry, worked closely with the RCMP to change the language used. This partnership also allows the Coalition to have input into the RCMP's annual evaluation, and it goes on file. They are also putting in protocols for sustainability, to make sure agreements last when people come and go within RCMP and Social Agencies.

Both support agencies and police clarified that there is a significant lack of culturally appropriate supports for Aboriginal women and girls who are being trafficked. One key support partner in Edmonton is *Esquao*, an addictions treatment centre specifically for Aboriginal women. The "program focuses on Aboriginal culture and spirituality, clients from all cultures, traditions and faiths are welcome." The perspective differs from most other treatment centres in that they work holistically with the individual and work on basic needs (housing, addiction, etc.). The program offers participants up to a year to recover from addictions, to develop skills and gain greater independence.

Support agencies that employ experiential women as front-line workers reported high levels of success with women who have been trafficked. Through their own experiences, these front-line support workers are better able to connect with victims, and trust is more readily established.

Some police services described programs run by front-line support agencies to collect information on "bad dates" from sex trade workers and to distribute the information to police and sex workers.

The Chrysalis Network in Edmonton operates a national human trafficking hotline which provides trauma counselling, referrals, and safety planning to workers in the commercial sex industry. Chrysalis works closely with law enforcement agencies across Canada, by hosting a national human trafficking investigators' forum, designed to share best practices among law enforcement agencies. Chrysalis is closely affiliated with the Spiral Phoenix Trauma Institute, which specializes in the treatment of Posttraumatic Stress

Disorder (PTSD), frequently experienced by survivors of sexual exploitation and human trafficking.

In one Western city, if victims are resistant to getting support, police sometimes use undercover operations to determine appropriate interventions to get victims into a program or a shelter where they can get support. Although police do not charge women with prostitution offences, they may lay other appropriate charges as a vehicle to intervene and provide support and safety, in collaboration with NGOs. The police say "the majority of victims, within five minutes of arriving in a safe environment, choose to stay." A Community Court Diversion Program, called COARSE (Creating Options Aimed at Reducing Sexual Exploitation), works with sex trade workers to develop individual support plans to help them exit the sex trade.

The Halifax RCMP has collaborated on the development of a workshop called "Media, Sexual Harassment and Assault, Human Trafficking, and Pornography: affecting our youth; affecting our community." The workshop is presented to parents, guardians, professionals and community members, and focuses on raising awareness and the prevention of sexualized violence, corporate manipulation and corruption of healthy sexuality, especially among youth. The event is part of the "Name the Shame" partnership project funded by Nova Scotia Crime Prevention.

Several multi-agency partnerships have been set up to collaborate on issues related to at-risk youth. In Prince Albert, Saskatchewan, a Community Mobilization Prince Albert partnership has been working together using the "HUB" model, developed in Glasgow, Scotland. This partnership includes members from police, health, social services, Prince Albert Grand Council, corrections and education, who meet twice weekly to address situations facing individuals and/or families at high risk, as recognized across a range of service providers. A Case Management approach is used to determine effective interventions among existing supports. The HUB approach has reportedly resulted in decreases in crime and increased referrals to appropriate supports.

The RCMP is implementing a youth intervention program in partnership with provincial justice, education, and community services, as well as Mi'kmaq Legal Support Network and Capital District Health Authorities. The Youth Intervention and Diversion Program (YIDP), focuses on steering at-risk youth away from an overburdened criminal justice system and into existing community-based programs that have proven to reduce their propensity to offend and reduce antisocial or destructive behaviours. This multi-system model allows for the acceptance of referrals from all government partners involved a case coordination process. Similar to the HUB program that operates in Saskatchewan, this program is seen as a potential promising practice for the identification, treatment and support of human trafficking victims.

In Halifax, there is a High Risk Coordinated Protocol Framework where primary service providers make referrals and share information on high-risk domestic violence cases. This type of approach may be considered for women and girls at high risk to be trafficked.

4. Conclusion

The topics of trafficking of Aboriginal women and girls, as well as possible family or gang involvement, have raised debate among Aboriginal people, governments, policy makers, police and Canadians.[37] There are complex issues raised in this report. Study participants have highlighted the socio-economic determinants of sex exploitation and trafficking resulting from factors such as the legacy of physical and sexual abuse experienced in the residential school system, dispossession of identity and culture via the *Indian Act*, violence, racism and the marginalization of Aboriginal women, resulting in their vulnerability, loss of culture, low self-esteem and poverty. Government relocations of communities have also fractured the family unit and caused vulnerabilities in the family structure, with a loss of traditional ways of keeping the family together, resulting in higher risk to being trafficked. Addictions are widespread, and are the result of either being introduced to drugs as a method of control, or used to escape the harsh realities of being trafficked or exploited. Although the *National Action Plan to Combat Human Trafficking* reported that Aboriginal women and girls are at a higher risk to be trafficked, transgendered women, Aboriginal men and boys are not excluded, and their involvement has been recounted by front-line service organizations and subject matter experts.

This study has focused on the sexual exploitation and human trafficking of Aboriginal women and girls. Study participants also talked about sex work or the sex trade where various complex degrees of consent or coercion exist for the women and girls who exchange sex for money, goods or other benefits because they believed these types of cases could constitute human trafficking. Law enforcement, front-line service organizations, support agencies and subject matter experts have confirmed that Aboriginal women are being trafficked in exchange for money, goods or other contributions. In the North, the potential for human trafficking was also identified through the lack of control with regard to customary Inuit adoptions.

A broad definition of family was often cited by the participants who contributed to this study. Rather than a strict sense of immediate family, it was clarified by many participants that the term family may include extended relationships to common-law, ex-in-laws, ex-common-law, foster family, aunts, uncles, cousins, as well as gang or organized criminal group members classified in a kinship sense.

This study has identified that there can be different types of family involvement in the recruitment of family members into human trafficking; however, not all participants who contributed to the study agreed on if, or the degree to which, this occurs. Generally, the subject matter experts held the view that family involvement was often directly linked to previous family involvement in sex work and victimization through human trafficking, was often an extension of patterns of domestic abuse and was commonly related to issues of household substance abuse.

Recruitment occurs in a myriad of ways, although trafficked Aboriginal women and girls do not appear to be moved as often as non-Aboriginal women. Women are recruited from

rural regions to large urban centres. Girls are often recruited on reserve, and brought to the city to "party," where they become involved in negative and manipulative personal relationships, and are then hooked on drugs and forced into the sex trade. The Internet and social media are other sites of contact for recruitment, as well as for the exploitation of victims, with web pages specifically focused on the trafficking of Aboriginal women.

In other situations, parents bring the family into the city, seeking more opportunities and a better life in general. However, if a child had been subjected to sexual abuse within the family unit, it is considered as a precipitating factor to being further exploited or trafficked once they are in the city. The normalization of sexual abuse and exploitation was identified by all of the participants, recalling that for Aboriginal women and girls, it may be a small step to go from being sexually abused at home to exploitation in the form of being trafficked. Some subject matter experts indicated that gaining some benefit from sex, gave some women a sense of power in an otherwise powerless and vulnerable life, even if they were also being exploited in other ways.

Two front-line Aboriginal service delivery organizations said that there exists a support system on the streets through the "street families" and the older females act as "mothers" to the younger ones on the street, providing guidance to keep them safe, although not necessarily supporting their exit from the sex trade. Older males are often involved, and considered family, as father figures, as well.

Alternatively, the family structure can be a support into getting the youth or women off of the street. If the family draw is strong enough, it is a powerful force to getting the women and girls out of the trafficking situation. Study participants believe this fact should be taken into consideration, and utilized when developing any infrastructure to combat human trafficking of Aboriginal women and girls.

The concept of gang involvement and recruitment with regard to the trafficking of Aboriginal women and girls was supported by knowledgeable study participants, not in the traditional, large criminal gang context, but more often of a smaller, loosely-structured type. The gangs tended to be local, with either one or a few women being trafficked at a time. Others said family friends or boyfriends were responsible for the entry of Aboriginal women and girls into being trafficked or sexually exploited. Pimps typically use coercion and exploitation through "love" rather than just fear of violence. Coercion through the psychological manipulation of affection and self-esteem can be much stronger than fear. For front-line support workers, service organizations and the police, this is a very difficult aspect of human trafficking because the women do not recognize they are being trafficked, because they believe that are in love with their trafficker.

Health issues were highlighted by some study participants, as many of the women and children on the street who are being trafficked or otherwise involved in exploitation or sex work may have HIV/AIDS, FASD or PTSD. It was not believed by some participants that their physical and mental health issues were being adequately addressed as part of

any criminal justice responses. Complicating these health issues (and as a public health issue) is the fact that some men will refuse to wear a condom.

Some subject matter experts and the front-line service organizations were clear that there is a huge mistrust of the police amongst vulnerable Aboriginal women and girls. On the other hand, some front-line support organizations found the partnerships with the police very helpful, particularly with individual trusted police officers. The police organizations that participated in the study acknowledged that trust was an issue with most Aboriginal communities. These police agencies reported that, in recent years, they have increased their efforts to better understand Aboriginal culture and history through education, awareness of front-line officers and increased relationship-building with community leaders and residents. The impact of the lack of trust issues with the police stems from the general mistrust of the justice system by Aboriginal people, stories regarding the behaviour of individual officers who pay for sexual services or who coerce sex workers, and the inherent systemic racism perceived to be part of Canadian institutions. Many of the police agencies are working towards building relationships with Aboriginal communities, resulting in more positive relationships between Aboriginal people and the police.

The research found that the level of awareness of human trafficking varied among police agencies, from a demonstrated knowledge of the issue by establishing fully-dedicated units charged with the identification and investigation of human trafficking, to no awareness or denial that human trafficking is present within their jurisdictions. Many police agencies depend on statistics related to calls for service, complaints, or observation to assign resources to specific crimes. Because human trafficking is a hidden crime, and rarely reported, some agencies do not see it and therefore, "If it doesn't appear to be happening, so then it's not a priority." All of the agencies that have dedicated resources strongly recommended that all police services provide sufficient education and awareness of human trafficking to front-line officers, and to invest in the development of the unique investigative skills required to proactively uncover and act on cases of human trafficking. This view is particularly relevant for police services that are near large infrastructure projects (where the sex trade is prevalent), Aboriginal communities, and are situated on or near highways that form part of known circuits for human trafficking.

Police services that have dedicated resources identified the unique training and expertise that must be acquired for the effective investigation of human trafficking cases; it takes at least two to three years for an investigator to gain the knowledge and skills to be effective. A key component to effectively investigating cases is the establishment or trusting relationships with women who are trafficked; these relationships take time to establish. Most police services have a mandatory job rotation program that limits the amount of time that officers may spend in specialized positions. Tenure for investigators ranged between four and five years, then investigators must move out and the relationships that may have taken years to establish are broken.

Police participants pointed to several areas that need to be addressed in order to either develop or to sustain their ability to combat human trafficking, as well as develop and

maintain their relationships with vulnerable communities. For instance, it was suggested that tenure programs should review the timeframes associated for human trafficking investigators, and either increase the length of tenure for these positions, arrange for overlapping assignments so that new officers have sufficient time to work with experienced officers and to establish trusting relationships with victims, or remove the tenure limit altogether. In addition, obtaining victim statements and testimony is difficult in human trafficking cases (similar to domestic violence situations). When the police meet with the Crown Prosecutors, they could work more closely together to explore alternative ways to prosecute cases (one example provided was waiving the requirement for victim statements if the evidence points to human trafficking).

Collaboration and sharing of information between police agencies were identified as critical elements in the enforcement of human trafficking laws. Although many police services have established informal networks, all of the participants said that better coordination was needed to provide police with accurate and timely information on cases. Currently, investigators share information by email, telephone calls, and a quarterly network teleconference. All of the officers interviewed identified an urgent need for police agencies to contribute to, and have access to, a consistent, real-time database of intelligence related to traffickers (known or suspected) and their victims.

Some participants identified an urgent need for a review of "custom" adoptions in the North, as several participants were clear that there is a possibility of children being adopted without the proper safeguards in place to track them, protect them or follow up on their care. Children may be taken out of the North and placed with families in the South, or elsewhere, without the legal safeguards in place to protect the children.

The majority of participants voiced the need for increased collaboration among service providers, law enforcement and the justice system to develop effective responses to human trafficking. One model included the establishment of a coordinated approach similar to the U.S. Department of Justice Anti-Trafficking Task Force. Under this model, every province would establish a formal body and a sustainable process, with a national body or National Task Force to provide oversight and coordination. Membership on the Task Force would include representatives from the Aboriginal community, the police, the justice system, NGOs, government and politicians. This approach would provide a coordinated national, regional and local approach, and would include ongoing multi-sectored strategies to addressing the root causes of trafficking and sexual exploitation of Aboriginal women and girls. This type of centralized approach could address not only the development of culturally-specific programming, it would also provide for the collection of data on trafficked persons, as well as those in high risk situations such as runaways and Inuit adoptees. The implementation of this type of evidence-based approach would be useful for the collection of statistical data and could produce scholarly academic research to place trafficking issues squarely in the public and academic purview. There already exist some multi-disciplinary partnerships in Canada, such as the HUB model and Nova Scotia's High Risk Coordinated Protocol Framework. These highly successful models could be used as best practices to inform coordinate national, regional and local human trafficking approaches. Issues such as funding for Aboriginal developed,

implemented and operated programming, shelters, detox, counselling and second stage housing is essential and can be addressed through a national approach.

This study found that sexual exploitation and human trafficking does not occur in isolation but does occur through a number of pathways due to a myriad of related social-economic determinants. Family members, gangs and friends recruit through different types of financial and psychological coercion, as well as physical violence. It is because Aboriginal women and girls are subject to poverty, low self-esteem, addictions, mental health issues and poor health, that they are particularly vulnerable to becoming the victims of human trafficking for the purposes of sexual exploitation.

Study participants spoke of a Canadian crisis, evident by the sheer numbers of Aboriginal women and girls who are subjected to normalized physical and sexual violence, are trafficked, go missing or are murdered. The research team hopes that this study will be a primer for future work in eradicating the exploitation of all kinds against Aboriginal women and girls, by focusing on the root causes through a systemic and coordinated approach that listens to and heeds the perspectives of the victimized women and girls.

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Appendix A: Research Instrument, Law Enforcement Research Instrument

Research Questions, October 28, 2013
Study on Trafficking of Aboriginal Women and Girls

1) What is your definition of Human Trafficking?
2) Have you worked with or had direct contact with Aboriginal women or girls who have been trafficked? Approximately how many women or girls have you dealt with?
3) Do you know of any instances of police involvement? What was the outcome?
4) Based on your experience, what are the characteristics of Aboriginal women and girls who are trafficked?
5) Based on your experience, how do women who are being trafficked get involved with the people who are trafficking them?
6) Do you know if the trafficked women or girls have experienced domestic violence in their past or present? Can you see any relationship between that victimization and their experience of being trafficked?
7) How do families or close relationships influence or impact on the women's experience of being trafficked?
8) How are criminal organizations or gangs involved in the trafficking of Aboriginal women and girls?
9) What makes Aboriginal women and girls vulnerable to human trafficking? Do you think there is a difference between the vulnerability of Aboriginal and non-Aboriginal women and girls?
10) What are the movements of women who are being trafficked, such as their community of origin, transit community(ies) and community of destination. How does geography influence their movement?
11) What are the living and working conditions of women who are being trafficked?
12) Describe the needs of people who are being trafficked, and how they are being, or not being met.
13) What are the barriers to providing services to women who are being trafficked and how might they be overcome?
14) Any suggestions on who we can contact for further information?

Research Questions

Law Enforcement Focus
Study on Trafficking of Aboriginal Women and Girls

1) Can you describe your work and area of responsibility in relation to trafficked Aboriginal women and girls?
2) Can you describe the amount of trafficking taking place against Aboriginal women and girls (as opposed to non-Aboriginal) within your jurisdiction?
3) How do you respond to incidents of Human Trafficking? Is part of the response pro-active (outreach efforts to women and girls who are trafficked?) What measures, if any, do police put in place to protect trafficked Aboriginal women and girls?
4) Under which charges are most experiential/trafficked Aboriginal women and girls criminalized?
5) Under which charges are most johns criminalized?
6) Can you estimate how many reports of sexual violence and trafficking there are in your district regarding Aboriginal women and girls each year?
7) How many instances do you know of that are identified to Police, and not formally reported?
8) How many cases of human trafficking have been taken to court? What were the outcomes?
9) What information is collected by officers concerning trafficked Aboriginal women and girls?

   - Are details such as the age, place of birth, and where and how women and girls are recruited, were they living in a foster or group home, etc., collected about the victims? How are these records kept?

10) In what ways have you been educated on the issues facing Aboriginal women and girls in Canada, and specifically within your region? What specific training has been provided to front-line officers on Human Trafficking?

    - Are you aware of the impacts from those who have attended Indian Residential Schools, were adopted out in the 60s, or who have been involved with the child welfare system, or who experience higher rates of violence, sexual abuse, etc.

11) How are criminal organizations or gangs involved in the trafficking of Aboriginal women and girls?
12) What other agencies, partners or groups do you consider to be part of your Human Trafficking response? Do you feel you have sufficient access, if at all, to cultural advisors and/or Elders when dealing with sexually exploited and/or trafficked Aboriginal women and girls? Do you have suggestions on how this could be improved?

13) What are some promising practices in Canada, if any, where the law is used to combat trafficking? What changes would you recommend?

14) What are the barriers to providing services to Aboriginal women and girls who are being trafficked and how might they be overcome?

15) Any suggestions on who we can contact for further information?

Appendix B: Consent Form

Consent of Participants

Study on the Human Trafficking of Aboriginal Women and Girls

Description of the Project

You are invited to participate in a research project commissioned by Public Safety Canada. The general objective of the project is to gain a deeper understanding of the characteristics and the needs of Aboriginal women and girls who are trafficked for the purposes of sexual exploitation or labour exploitation, either within Canada or internationally. There is little information on the issues of family involvement in trafficking of Aboriginal women and girls. While it is recognized that the root causes of violence against Aboriginal women are systemic, it is critical that more knowledge in this area be gathered to determine the extent of the involvement of family members and of gangs.

Organizations and experts in the field who are working with Aboriginal women will be asked about their knowledge of the involvement of both families and gangs. The purpose of the report is to provide a comprehensive base of knowledge that will inform further action that will lead to positive change.

The specific objectives are to better understand the following issues for victimized Aboriginal women and girls:

- how "potential" victims of trafficking are recruited and what makes them particularly vulnerable;
- how families or close relationships impact on the victim's experience of being trafficked, whether through incentives, such as financial gain, or through coercion, such as domestic violence;
- the characteristics of victims of trafficking, including their age, and their Aboriginal status;
- the living and working conditions of trafficked persons;
- movement of trafficked persons, such as their community of origin, transit community and community of destination;
- the involvement of criminal organizations or gangs in the trafficking; and
- the needs of victims of trafficking, and how they are being, or not being met.

You will be contacted by phone by one of the researchers, Dr. Yvonne Boyer or Peggy Kampouris, to discuss the issues directly related to your field of expertise. We will ask you to answer questions prepared in an open ended, semi-structured questionnaire and

talk with you about your understanding and observations on the subject matter raised during the telephone interview. The interview should not last more than one hour. The interview may be tape-recorded and transcribed for analysis.

Follow-up availability may be necessary to clarify issues raised during the interview that may either not be clear to the researchers or need further explanation.

Rights of the Participant

Your participation in this research project is optional and you have the right to withdraw at any time. Your participation in this study will be confidential, and you will not be personally identified in the final report. We are only seeking unclassified information that can be released to the public. Please do not share confidential information, such as names or any identifying characteristics. If kept, all taped data and transcribed material will be kept in a secure location, held by Public Safety Canada, for a three-year duration. Access to the data collected will be limited to the research team who are cleared to the "Secret" level by the federal government. Should you have any question or comment concerning your rights as a research subject, we invite you to contact the researchers: Dr. Yvonne Boyer at [contact information redacted], or Peggy Kampouris at [contact information redacted].

Organization:

Address:

Date:

Printed name Signature

Appendix C: Letter of Introduction

Subject: Public Safety Canada Study on the Human Trafficking of Aboriginal Women and Girls

Dear _____,

Public Safety Canada has commissioned Red Willow Consulting to conduct research into the human trafficking of Aboriginal women and girls in Canada. The impetus for this study came from the National
Action Plan to Combat Human Trafficking and the subsequent National Roundtable sessions held in Montreal,
Winnipeg, Edmonton, Halifax and Toronto, where several community-based organizations revealed that family dynamics may be a factor not previously considered in other research on trafficking.

The general objective of the project is to gain a deeper understanding of the characteristics and the needs of Aboriginal women and girls who are trafficking for the purposes of sexual exploitation or labour exploitation, either within Canada or internationally. The research will focus on human trafficking in Central and Eastern Canada, and the North.

There is little information on the issues of family involvement in trafficking of Aboriginal women and girls. While it is recognized that the root causes of violence against Aboriginal women are systemic, it is critical that more knowledge in this area be gathered to determine the extent of the involvement of family members and of gangs.

Organizations, law enforcement agencies, and experts in the field who are working with Aboriginal women will be asked about their knowledge of the involvement of both families and gangs. The purpose of the report is to provide a comprehensive base of knowledge that will inform further action that will lead to positive change.

We are seeking to interview personnel within your organization who have first-hand experience with Aboriginal women or girls who have become involved with trafficking and who would be available to answer some questions.

The specific objectives are to better understand the following issues:

- how "potential" victims of trafficking are recruited and what makes them particularly vulnerable;
- how families or close relationships impact on the victim's experience of being trafficked, whether through incentives, such as financial gain, or through coercion, such as domestic violence;
- the characteristics of victims of trafficking, including their age, and their Aboriginal status;
- the living and working conditions of trafficked persons;

- movement of trafficked persons, such as their community of origin, transit community and community of destination;
- the involvement of criminal organizations or gangs in the trafficking; and
- the needs of victims of trafficking, and how they are being (or not being) met.

It is planned that the information gathered through this research will be compiled and published as part of the growing knowledge base on human trafficking.

We would very much appreciate a referral to key personnel who could represent the your organization in this important study. A Consent Form outlining the research is attached for their reference.

Nominated participants are asked to contact the researchers to schedule the interviews or to clarify any questions: Dr. Yvonne Boyer at [contact information redacted], or Peggy Kampouris at [contact information redacted].

If you are interested in communicating with Public Safety Canada regarding this initiative, please contact Austin Lawrence, Manager of Research, Law Enforcement and Policing Branch, Public Safety Canada, at [contact information redacted].

Thank you for your time and consideration,

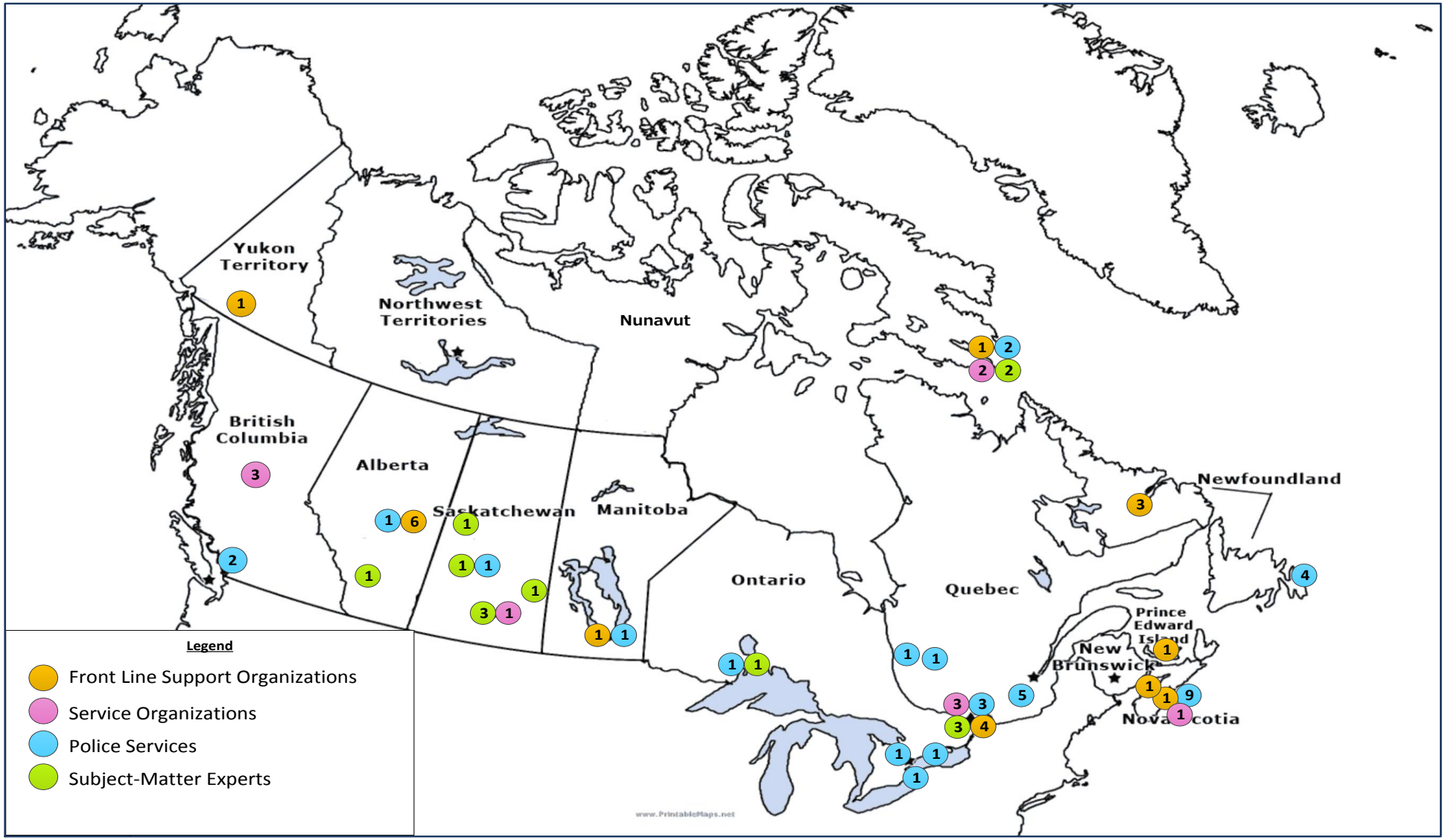
[signature]

Dr. Yvonne Boyer, LLB, LLM, LLD

[signature]

Peggy (M.E.) Kampouris, Management Consultant

Appendix D: Map of Canada and Interviewees



Endnotes

[1] See Public Safety Canada (2012).
[2] See Public Safety Canada (2013).
[3] Much of the material in the Historical Context section of this report originated from Boyer, Y.M. et al (2009) and Boyer, Y.M. (2006).
[4] See Native Women's Association of Canada (2009).
[5] See LaRocque (1994) page 73 and Krosenbrink-Gelissen (1991).
[6] See Strange and Loo (1997) pages 63 to 69.
[7] See Early Canadiana Online (2004) at paragraph 5 and Early Canadiana Online (2014) at page 55.
[8] See Stoler (1997) page 347 and Mawani (2001).
[9] See Boyer (2006) page 17.
[10] The "Native woman as prostitute" was identified as a new social problem and reported through sensational headlines such as "Indian Girl Sold for 1000 Blankets." See National Archives of Canada (n.d.) for a collection of newspaper articles detailing prostitution involving Aboriginal women.
[11] Professor Ann Scales (1989, 440-441) notes that men have had the power to "to create the world from their own point of view, and then, by a truly remarkable philosophical conjure, were able to elevate that point of view into so-called 'objective reality'." Further, "in law, the issues that preoccupy women are all issues that emerge out of a male-defined version of female sexuality. Abortion, contraception, sexual harassment, pornography, prostitution, rape, and incest are 'struggles with our otherness' that is, struggles born out of the condition of being other than male."
[12] See Canadian Centre for Policy Alternatives (CCPA) (2010) page 37.
[13] See Native Women's Association of Canada (2009) page 1.
[14] See Brennan (2011).
[15] See Elizabeth Fry Society (2013).
[16] See Pearce (2013).
[17] [*Editor's Note*: During the editorial finalization of this report the RCMP study "Missing and Murdered Aboriginal Women: A National Operational Overview" was just being released. The RCMP 'operational overview' confirms the analysis of Dr. Pearce and the Stolen Sisters report by thoroughly describing the overrepresentation of Aboriginal women amongst those who are the victims of homicide or have gone mission. Reference: RCMP. (2014) *Missing and Murdered Aboriginal Women: A National Operational Overview*. Ottawa, ON: RCMP. Accessed May 27, 2014 from http://www.rcmp-grc.gc.ca/pubs/mmaw-faapd-eng.htm.]
[18] See Public Safety Canada (2013). Also note, any quotations in the study that are from bibliographic sources will be cited, while quotations from interviews will not be cited.
[19] "Experiential" is defined as involving or based on lived experience and observation. In this case the experience would be that of sex work or prostitution.
[20] See *Criminal Code of Canada*.
[21] See *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention Against Transnational Organized Crime*.
[22] Although some support agencies prefer to use the term "survivor" instead of "victim" when describing women or girls who have been trafficked, the majority of police services use the term "victim" as part of their terminology.
[23] One subject matter expert also completed a study on men in the sex trade in Western Canada, where Aboriginal men were 90% of the men interviewed.
[24] For that type of study a more rigorous, quantitative research methodology would need to be applied. Recent examples include Dank et al (2014).
[25] This case was not included in the estimate provided by police. They may not be aware of it.
[26] It should be noted that these suspected cases were defined by the study participants and may not meet legal definitions of human trafficking.
[27] [*Editor's Note*: Responses provided to the research team did not make it clear what years this estimate covers. The estimates used to compile these numbers use the definition of human trafficking being applied

by the respective participants in the research and often involve suspected cases, which may not directly correspond with legal definitions of human trafficking or the number of cases that would be confirmed if investigated.]

[28] See Puxley (2013).

[29] Sometimes called popcorn or buster pimps.

[30] A "stroll" is an outdoor location known to be a place frequented by prostitutes, who use the location to meet and negotiate with johns to provide sexual acts in exchange for money or other compensation.

[31] See Peritz (2014).

[32] The phrase "80% Inuit and 100% naïve" was used.

[33] See the *Adoption Act* and the *Aboriginal Custom Adoption Recognition Act*.

[34] See Officer of Auditor General of Canada (2011) and Canada.com (2008).

[35] See Federal/Provincial/Territorial Working Group on Human Trafficking (2013).

[36] See *Criminal Code of Canada*.

[37] See for instance, CBC News (2013), Ashton (2013) and CBC News (2014).