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• (1105)

[English]

The Chair (Mrs. Karen Vecchio (Elgin—Middlesex—London, CPC)): Good morning. I call the meeting to order.

Welcome to meeting number 57 of the House of Commons Standing Committee on the Status of Women. Today's meeting is taking place in a hybrid format pursuant to the House order of June 23, 2022. Members are attending in person in the room and remotely using the Zoom application.

I'd like to make a few comments for the benefit of witnesses and members.

Please wait until I recognize you by name before speaking. For those participating by video conference, click on the microphone. Nobody at this time is on video conference, so we should be okay there.

As to interpretation, for those on Zoom, there is the choice on your screen of floor, English or French, and for the panellists here today, you have the choice of English, French or floor.

In accordance with the committee's routine motion concerning connection tests for witnesses, I'm informing the committee that all witnesses appearing virtually have completed the required tests in advance of the meeting.

Pursuant to Standing Order 108(2) and the motion adopted on Tuesday, February 1, 2022, the committee will resume its study on human trafficking of women, girls and gender diverse people.

Before we welcome our witnesses, I would like to provide this trigger warning: This will be a very difficult study. We'll be discussing experiences related to abuse. This may be triggering to viewers, members or staff with similar experiences. If you feel distressed or if you need help, please advise the clerk.

I would now like to welcome our first panel.

Here in person, as an individual, we have Megan Walker, who is a women's advocate and retired executive director of the London Abused Women's Centre.

From the Concertation des luttes contre l'exploitation sexuelle, we have Diane Matte, who is the co-founder.

From the Women's Centre for Social Justice, we have Krystal Snider, lead project consultant.

I'll be providing you each with five minutes for opening comments. When you see my arms moving all wacky like this, it means

you have 15 seconds. When you see me going crazy, it means you should be over.

I'm now going to pass it over to Megan. You have five minutes.

Ms. Megan Walker (Women's Advocate and Retired Executive Director, London Abused Women's Centre, As an Individual): Thank you so much.

I have worked with women and girls in the commercial sex industry since 1990, and I have shared that work and best practices with Canadian and global organizations. I use the term "women and girls in the sex industry" to describe prostituted and trafficked women and girls. Women and girls in the sex industry have reported that prostitution and trafficking are difficult to separate. Even if a woman or girl starts out independently, she can be quickly picked up by a trafficker.

Sex purchasers rarely care if a woman or girl is trafficked or underage. In fact, many of them will pay more to have sexual services with an underage girl.

Over the last 25 years, I have seen a steady increase of women, and particularly girls, lured into the sex industry by traffickers or organized crime. Many girls are lured from universities, colleges, bars and even workplaces. Parents have often reported checking online sex sites to see if the sexual services of their daughters are being advertised. As painful as this is for parents, it is how they track whether their daughters are dead or still alive.

Without sharing too many details included in the content of the advertisements, I am aware that the level of violence women and girls in the sex trade experience by sex purchasers and traffickers includes violent beatings, torture, strangulation activity and forced engagement in fetish acts. The London Police Service refers to London, Ontario, as a trafficking hub because of its proximity to Highway 401, which allows easy movement between Detroit and Toronto. It is also because of easy access to hotels and motels just off the exit ramps into the city.

Between 2014 and early 2021, under my leadership, the London Abused Women's Centre provided direct service to at least 2,888 women and girls who identified as being in the sex industry. I find that shocking. Sixty-eight girls reported they were underage, and of those girls, 15 reported that they were under the age of 15. Only six women of the 2,888 we helped reported entering the sex industry by choice.

Exiting the sex industry is difficult. Women and girls are terrified of the threats they receive from their traffickers, including threats to kill them or members of their family. Access to detox and rehab facilities is difficult, and finding a job can be impossible if women have criminal records. Even if they can find a job, too few jobs provide a guaranteed livable income. Affordable housing is almost non-existent, and social assistance is inadequate. Women and girls are forced to remain in the sex industry because they lack the supports necessary to move on in their lives.

A three-pronged approach is critical to the work of preventing trafficking. The three prongs include providing robust funding to organizations that work with women who are trafficked and prostituted, public awareness and education, and legislation and enforcement.

Women and girls in the sex industry need immediate access to well-resourced, fully informed services across this country, including access to safe houses. Core funding is essential. Grants and time-limited funding prevent the necessary long-term work required to help victims of trafficking.

Parents and children across Canada need consistent information through public awareness and education about trafficking, including on signs to look for, identifying coercion, internet safety and tactics of luring. The Protection of Communities and Exploited Persons Act provides police with important tools to help women and girls.

Similar to the economics of supply and demand, it is the demand for prostitution that fuels the supply of women needed. That supply is provided by traffickers. When demand is reduced, so too is supply. Reducing demand, however, requires that police charge sex purchasers and that the Crown prosecute them. The failure of police across this country to enforce the PCEPA and the failure of Crown to support enforcement have contributed to growth in the commercial sex industry.

Finally, I want to talk to you about the importance of expunging records. As I said earlier, we know that women and girls who have a criminal record have a difficult time finding work. Expunging historically unjust convictions can help those women and girls move on.

• (1110)

The Chair: Awesome. Thank you so much, Megan.

We'll now pass it over to Diane Matte.

Diane, you have the floor for five minutes.

[*Translation*]

Ms. Diane Matte (Co-founder, Concertation des luttes contre l'exploitation sexuelle): Thank you, Madam Chair.

Committee members, I would like to start by acknowledging that we are on unceded territory of the Anishinaabe Algonquin Nation, and that Indigenous and Inuit women and girls have borne, and continue to bear, the brunt of trafficking for sexual exploitation in Canada.

Concertation des luttes contre l'exploitation is a feminist organization that works with female victims of sexual exploitation to provide alternatives to women seeking to exit prostitution.

We have been in operation since 2005. We welcome and support more than 200 women and their families annually. Most of the women attending our organization are between the ages of 24 and 35. Twenty-five percent of them are women from ethno-cultural minorities, and a vast majority live in extreme poverty. As such, poverty is both a factor of entry into prostitution and a barrier to exiting this environment. Therefore, reducing poverty among women should be one of the key areas in combatting trafficking for sexual exploitation. If Canada had a guaranteed, viable minimum income, fewer women and girls would enter the sex industry and they would be less likely to be victims of human trafficking.

Today, we will focus on the issue of preventing trafficking for sexual exploitation and on support for women and girls who have been victims of this form of violence. We appreciate that this committee has decided to specifically focus on the issue of trafficking for sexual exploitation. This is a wise choice; we will get back to that later.

Although Canada passed legislation on human trafficking in 2005 and on criminalizing the purchase of sexual acts in 2014, Canada continues to treat these two crimes as though they were distinct. This is a mistake and certainly explains why our efforts to suppress this form of violence against women and girls are stagnating.

We would like to propose three major changes to the government's approach to suppressing trafficking for sexual exploitation.

First, as set out in the Palermo protocol and as the United Nations General Assembly reiterated last December, governments must "intensify their efforts to prevent and address, with a view to eliminating, the demand that fosters the trafficking of women and girls for all forms of exploitation and in this regard to put in place or enhance preventive measures, including legislative and punitive measures to deter exploiters of trafficked persons, as well as ensure their accountability."

Addressing demand is the key tool in suppressing trafficking. All the countries that have adopted a socio-legal model criminalizing the purchase of sexual acts have seen a significant decline in trafficking for sexual exploitation on their territory.

Canada has similar legislation, the Protection of Communities and Exploited Persons Act, or PCEPA, which criminalizes the purchase of sexual acts in Canada. However, it is not properly implemented. There are many inconsistencies and seldom any prevention, for example, messaging for those who purchase sexual acts, who are the root of the problem.

Second, we know that a majority of women in the sex industry would like to exit. The research shows that such is the case for 80% to 95% of the women interviewed. However, they do not have access to the assistance and support they need, including access to income, access to housing, access to status where necessary, access to education or work, and psychosocial support. The equality model, also known as the Nordic model, which has been adopted by some countries, such as Sweden, Iceland, Norway, France and Ireland, together with legal and social tools to change the behaviours of those who use paid sex acts, provide more security and protection for women, who are the victims.

It is recommended that the Government of Canada follow the lead of France, for example, and work to define or implement a support program for exiting prostitution. Such action would be consistent with the two pieces of legislation that we have.

- (1115)

Third, commercial sexual exploitation is the most taboo form of violence against women and girls. Trafficking for sexual exploitation is intimately tied to equality for all women.

[English]

The Chair: Diane, we'll have to wrap this up. You're a few seconds over. Hopefully we'll get more into that during questions. Thank you so much.

We'll now move to Krystal Snider for five minutes.

Ms. Krystal Snider (Lead Project Consultant, Women's Centre for Social Justice): Thank you so much.

I first want to acknowledge that we're meeting on unceded Algonquin Anishinabe territory. It is especially important for me not only to ground myself in acknowledging the land I'm occupying as a settler when doing anti-trafficking work, but also to stand in solidarity with its first people, especially because of the overrepresentation of indigenous women and girls and two-spirit folks, who are overwhelmingly targeted for human trafficking.

My name is Krystal Snider. I want to acknowledge my colleagues Nicole Taylor and Nneka MacGregor, who co-authored this submission, as well as the many survivors who have provided critical input. I am lead project consultant for a program called "Embedding, Resilience, & Grounding Resistance", led by the Women's Centre for Social Justice, better known as WomenatthecentrE.

Thank you for the opportunity to be here to speak and participate in this important study. As a survivor of domestic sex trafficking and the child welfare system, and the daughter of a mother who at-

tended Ontario training schools, having the opportunity to speak about prevention and accountability is significant and impactful.

WomenatthecentrE's anti-trafficking project, funded by Women and Gender Equality Canada, is a project led and developed by and for survivors of various forms of trafficking and exploitation. Through the project, we're conducting community-based participatory research with other survivors of trafficking, creating a national network of survivors of trafficking, developing a national survivor strategy and providing training for peer workers, media, hotel staff, health care, law enforcement and frontline agencies.

WomenatthecentrE wants to acknowledge the incredible work that has been done and is being done across what we now call Canada. We're grateful for the many wonderful people who are working tirelessly to disrupt and eradicate trafficking nationwide.

Since the project began, we have amplified our engagements with survivors to document what is and isn't working and what will lead to long-term and sustainable change. These include specific gaps related to the ongoing arrest and convictions of survivors of trafficking as traffickers; holding survivors accountable for other crimes committed while under the control of a trafficker; and the consistent overrepresentation of Black, indigenous and racialized women, girls, two-spirit, gender-diverse and trans individuals who are not only disproportionately trafficked but also disproportionately charged and convicted of crimes related to their trafficking.

One of our recommendations is that the United Nations non-punishment principle be adopted and embedded in training for law enforcement across the country for consistency and alignment with the rights of survivors. The non-punishment principle states that a survivor of trafficking cannot be held legally accountable for a crime committed while under a trafficker's control. Further to this, we recommend that service agencies adopt the same framework and provide supports to survivors who have recruited others while under the direction of a trafficker.

In addition, the laws related to sex work are again to be challenged in the Supreme Court in the near future. We want to caution against the conflation of sex work with sex trafficking. We acknowledge that there's a divide between sex workers and sex worker rights advocates and those impacted or trafficked in the industry, but we do want to shine light on the significant harm that has come against sex workers as a result of adopting the Nordic model—most notably, the harm to and mass deportation of migrant sex workers who do not identify as trafficked. We encourage the federal government to create pathways for conversation between these divided groups, to uphold the rights of sex workers by engaging such organizations as Butterfly and to adopt a GBA+ lens, which includes impacts on sex workers, when creating or amending existing legislation.

WomenatthecentrE states that the consistent use of victimization language and “saviourism” by individuals and organizations involved in anti-trafficking efforts, including law enforcement and service providers, is demeaning and a testament to just how helpless and broken the structures and systems think we might be. These systems and structures are meant to provide support and assistance to survivors of exploitation, and sometimes are the sites of further trauma and revictimization. They fail to take into account the diverse needs of survivors, especially, as we stated above, those who are what our board co-chair, Dr. Tope Adefarakan, refers to as “living on the margins of the margins”—Black and indigenous people; women; girls; two-spirit, gender-diverse and trans people; youth; those living with disabilities; those with precarious status, etc.

I'll wrap it up, but hopefully we can get to the rest of this. Thanks for having me. I'm happy to answer your questions.

• (1120)

The Chair: Thank you so much, Krystal.

We're now going to start a round. We'll go around for six minutes for the first round, and we'll start with Anna Roberts for the CPC.

Anna, you have six minutes.

Mrs. Anna Roberts (King—Vaughan, CPC): Thank you, Madam Chair, and thank you to all the witnesses for being here.

I'm going to ask Ms. Walker a few questions. First of all, congratulations on helping more than 8,000 women and on your work with Shine the Light. That is to be commended. Thank you for doing that.

My question pertains to Bill C-36 from 2014, which targets Johns who purchase sex and the pimps who profit from it, while providing support for prostitutes who are looking to escape sex work. Do you believe the implementation and enforcement of this bill is working?

Ms. Megan Walker: I am very supportive of the bill. Unfortunately, because it's not being enforced, it's difficult to say how much it is working. We do know from the Juristat released in 2021 that before and after studies show there has been an effective response, that women and girls are able to leave more easily at this point and that fewer women and girls are being murdered. The other thing we know from that report is there has been a slight decline in the number of men purchasing sexual services.

Mrs. Anna Roberts: Do you have any stats you could share with this committee?

Ms. Megan Walker: I do, and I was going to leave this paper with you so you would have it.

Mrs. Anna Roberts: Perfect. Thank you.

From your work, what differences do you see across the country in human trafficking and sexual exploitation?

Ms. Megan Walker: Ontario is one of the biggest hubs of both recruitment and transport. We know there's an increase of women and girls going through what they call the “circuit” in Ontario. It's very difficult once they're in to get out, and the level of violence is absolutely off the charts. We see before and after pictures that family members provide us of their daughters before they were trafficked and then after, and they are unrecognizable and not the same women and girls.

I think the other thing to remember is that trafficking is not an individual concern; it's a concern that impacts all of society. Whenever there is trafficking or prostitution, there is an increase in organized crime, an increase in guns and gangs and an increase in violence.

Mrs. Anna Roberts: Is there any way you could share with us some of the data from your findings? Can you give us some of that for the record?

Ms. Megan Walker: Absolutely.

Mrs. Anna Roberts: Thank you.

The Chair: Megan, I think she wants you to read it now.

Ms. Megan Walker: I'm so sorry. I was making a note to provide it.

It's very complex, and I will absolutely provide that data. I just don't have it right in front of me now, and I don't want to make any errors in trying to recall it.

Mrs. Anna Roberts: If you could table it with the committee, we would appreciate it. I think if we have numbers to go on, we will be in a better position to tackle the issue, as you've referred to it.

As to the next question I have for you, you have stated, “I don't believe there is any woman that would willingly expose herself to today's pornography, which is very brutal.” You have also said, “I want the government to indicate that there's no difference between trafficking, prostitution and pornography. They're all one and the same.” Can you share with the committee your thoughts on that, please?

Ms. Megan Walker: It's all about the exploitation of women and girls because they are women and girls. Pornography is being used at this point to force women and girls to play out those acts with sex purchasers, as an example, or with their intimate partners. Fortunately, we have seen Pornhub close down because they were receiving so many complaints from women and girls who had no idea they were being videotaped. Those tapes were being put on the Pornhub site, which as you can imagine is devastating, because once they're on the site, they're difficult to remove. Pornhub did shut down, but now we see that some individuals have come back and it will be reopening again soon.

Pornhub, trafficking and prostitution are all, in my opinion, tactics of male violence against women and sexual exploitation, and that is not just from me. That is what is reported to us on an ongoing basis. When I was at the London Abused Women's Centre—

• (1125)

Mrs. Anna Roberts: I'm sorry to interrupt, but I don't have a lot of time left.

You said Pornhub has been shut down. I don't think it has.

Ms. Megan Walker: It was temporarily shut down. There was a lot of effort done by a woman in California and Pornhub was taken down, but it will be right back.

Mrs. Anna Roberts: Okay, because I believe it is....

Ms. Diane Matte: It is right back.

Ms. Megan Walker: It's right back now.

Mrs. Anna Roberts: It is back, so it's not—

Ms. Diane Matte: It's been sold to someone else.

Ms. Megan Walker: Yes, it's been sold. That's it.

Mrs. Anna Roberts: Femicide is a very important issue in the work you do. What is the link between femicide and trafficking?

Ms. Megan Walker: Femicide is about the killing of women because they are women. I would say that trafficking is about exploiting women and girls because they are women and girls. We know that a number of women and girls are killed by their traffickers or sex purchasers, and we've seen that, so there is a link.

Mrs. Anna Roberts: I did some research recently, and I found out that the jail time for human traffickers is much less. They could go in for two years or less, whereas if they had committed a different crime, it would be a greater sentence.

Do you agree that sentencing has to be reviewed so that it meets the crime? I don't think they're getting enough time in jail.

Ms. Megan Walker: I totally agree with that. What is important to recognize is that in almost all crimes against women, the sentence for the perpetrator is much less than it would be if it were a man.

Mrs. Anna Roberts: Thank you very much.

The Chair: Thank you.

We'll now move over to Marc Serré.

Marc, you have six minutes.

[Translation]

Mr. Marc Serré (Nickel Belt, Lib.): Thank you, Madam Chair.

I thank the witnesses for the work they do in this field every day.

Our study is about human trafficking. My questions are about providing support for victims and giving them more power.

My first question is for Krystal Snider. Earlier, you spoke about gender-based analysis+, or GBA+.

Can you elaborate on how the government can use certain examples to enhance the legislation in this area?

How is this related to the funding allocated by the Department for Women and Gender Equality?

[English]

Ms. Krystal Snider: GBA+ is a government initiative about looking at policies, procedures and processes through an intersectional lens. When it came to laws in 2016 and 2014, I don't think that lens was adopted when they were rewritten, and I think we can do better.

I think the lens of sex workers and, further to that, sex workers who are trans, sex workers of colour and sex workers with disabilities.... They are all impacted by this legislation differently. My recommendation—Womenatthecentre's recommendation—is that you adopt your own method of applying policy but consider that specific impact when reviewing legislation.

[Translation]

Mr. Marc Serré: Thank you.

Ms. Matte, you spoke earlier about the lack of support for indigenous women. That is a major problem here in Canada.

Earlier, you recommended improving the legislation.

Can you give us some examples in that regard? Are you talking about a specific law to protect indigenous women?

Ms. Diane Matte: Thank you for the question.

In 2016, France created a law similar to the one that we passed in 2014 to criminalize the purchase of sexual acts. In 2016, the government of France also embraced the concept of offering a program to provide direct support to women who want to exit prostitution. In that regard, I would encourage you to look at France's model, which is very good. It gives women access to housing and assistance for two or three years so that they can carry out their plan to exit prostitution. It is the same thing for human trafficking. It is much easier to enter or be brought into it than it is to get out. Getting out takes time, resources and, most importantly, money. Often, women who are exiting the sex trade are even poorer than they were when they entered it.

I would like to take a few moments to talk about how gender-based analysis+, or GBA+, applies to sex workers.

In my opinion, it is a mistake to look only at this perspective. GBA+ is based on the systems of oppression and discrimination that exist in Canada. If we really want to look at the laws through a GBA+ lens, we need to do so from the premise that trafficking, and especially sexual exploitation, result from existing social and economic inequalities that affect women in particular.

We therefore need to take all women into consideration. We cannot just look at those who, for one reason or another, chose to enter the sex trade or wanted to work in it.

Many organizations in Canada meet a sufficient number of women who ended up in the sex trade because of a lack of choices in their lives. They become victims of trafficking and end up trapped in that situation of domination for weeks, months, or even years because of the individuals or prostitution rings that picked them up. If we really want to define human trafficking, particularly trafficking for the purposes of sexual exploitation, we need to recognize that this is an act of domination. If we are not thinking about gender equality in this context, then we are missing the mark.

I want to take this opportunity to talk about my third recommendation. The prevention and criminalization of human trafficking is not just a matter of public safety. It is a societal choice that we have to make. We also need to consider gender equality. We should therefore have a national action plan on sexual exploitation in Canada. It would be an additional tool for prevention and action, as well as for supporting the women who are exiting this type of situation.

• (1130)

Mr. Marc Serré: That is excellent. Thank you.

I have 30 seconds left.

[English]

I want to ask something of Megan Walker. Thank you for the years you've been working to support victims and empower them.

You mentioned in your recommendations core funding, public awareness and legislation. Can you please expand for the committee and the federal government what you mean by legislation?

Ms. Megan Walker: First of all, it's important to note that women and girls are immune from prosecution under the PCEPA. That's very important, except there's one clause in PCEPA that does criminalize women if they are prostituting themselves in specific areas. We do not support that, and we would ask that this be removed. I also think there needs to be better legislation.

Mr. Marc Serré: Could you provide that clause to the committee?

Ms. Megan Walker: Yes.

The Chair: Fantastic.

We're now going to pass the next six minutes to Andréanne Larouche.

[Translation]

Ms. Andréanne Larouche (Shefford, BQ): Thank you very much, Madam Chair.

I want to thank Ms. Snider, Ms. Matte and Ms. Walker for being here with us today to discuss human trafficking, which causes women to be the victims of sexual exploitation. The evidence shows that 96% of the victims of human trafficking are women. That is huge. It is important to point that out. Every time I think of that number, I think about how disproportionate it is and I realize that this is a feminist issue.

I will direct my first question to you, Ms. Matte. In your recommendations, you spoke a lot about laws and the criminal aspect of human trafficking, but I would like you to talk more about the importance of implementing Canada's Action Plan for the Implementation of United Nations Security Council Resolutions on Women, Peace and Security for 2017-2022. There was even a first iteration in 2012. There is already an action plan for human trafficking on the table and yet the numbers continue to rise.

Can you tell us what difference implementing this action plan would make when it come to the trafficking of women?

• (1135)

Ms. Diane Matte: To my knowledge, there is nothing in that action plan to address the demand.

Once again, if we are serious about cracking down on trafficking, then we have to address the root causes. Addressing the demand should therefore be part of the national action plan. I don't know for sure, but to my knowledge, the existing plan does not address the demand. Since the plan falls under the responsibility of Public Safety Canada, it focuses a lot more on criminal, legal and policing issues.

We think that the Department for Women and Gender Equality should be more involved in the matter of human trafficking. I know that the department funds projects and no doubt has very worthwhile programs. However, when it comes to researching and understanding this phenomenon, we cannot separate the matter of gender equality and social equality in general from the phenomenon of trafficking for sexual exploitation or just sexual exploitation in its own right. Addressing the demand is really of the utmost importance.

We really need to make an effort as a society. I agree with you that 96% of human trafficking victims are women. That should be a wake-up call and a major cause for concern. We should be trying to find out why. The answer can be found in the existence of the sex trade. That is why we have had legislation since 2014 that prohibits the commodification of the sexuality of women and girls, or of any person. However, we know that this mainly affects women and girls.

I would like to point out something else. Often we think that there are two extremes: those who are in favour of sex work and those who are in favour of abolishing prostitution. According to organizations such as the United Nations, or UN, and the Organization for Security and Co-operation in Europe, or OSCE, in order to address trafficking for sexual exploitation and human trafficking, we must address the demand. These are not radical individuals or groups. According to many international organizations, addressing the demand is key to obtaining results in fight against human trafficking.

Ms. Andr anne Larouche: That is indeed an interesting aspect.

You talked about Public Safety, but you also spoke about the Department for Women and Gender Equality when it comes to prevention. Clearly, this work must be done upstream and downstream, but there is also a middle ground. We cannot ignore any of those three aspects.

There must be co-operation among the various departments. The work needs to focus on prevention and education and on supporting women from the outset. We also need to do a better job of identifying victims and ensuring that we have more tools, at our borders in particular, even though that I know that most of these crimes are committed in Canada. What tools will help us to better identify victims so that we can help them?

We hope to work on prevention to reduce the number of women who end up in this situation. There is some form of co-operation between the various departments in Ottawa, but there must also be co-operation among the different levels of government. We need to consider the issue of social services to support the women, particularly in Quebec. Our federal laws also need to take into account the capacity of the various levels of government to support victims. There are even things that could be done in terms of housing, for example, the implementation of projects at the municipal level. How can the various levels of government work together?

Ms. Diane Matte: In my opinion, this problem is related to the root causes of the problem and to who can do what.

In that regard, I think we need to follow Quebec's lead. When I talk about a support program for exiting prostitution, I think about the committee that examined the sexual exploitation of minors a few years ago. According to that committee, we need specific support programs that are provided directly to people, not just funding programs for organizations like ours, even though that is also very important. We need to implement specific programs that are offered directly to women. All levels of government need to work together on that.

It does not make sense to talk about the importance of identifying victims. I don't know whether such is the case in your communities, but in Montreal, there are all kinds of massage parlours and many young women who are being sexually exploited, and nothing is being done about it.

• (1140)

[English]

The Chair: Thank you so much, Diane. I'm sure there's lots to add, so we will get back to that.

Leah, you have six minutes.

Ms. Leah Gazan (Winnipeg Centre, NDP): Thank you.

I have a very quick question for a yes-or-no answer from all the witnesses.

I introduced Bill C-223 to put in place a guaranteed livable basic income. Whether you support the rights of sex workers or not, I think we can all agree that a guaranteed livable basic income, in addition to affordable, accessible housing with rent geared to income, would help wherever you stand with this situation.

Yes or no, would a guaranteed livable basic income be a foundational piece to address this?

Ms. Megan Walker: Yes, it's an important part of the puzzle.

Ms. Diane Matte: It's a double yes.

Ms. Krystal Snider: Yes, I think that would be a cornerstone in prevention.

Ms. Leah Gazan: Okay, excellent.

I ask that because I often find in the House of Commons, wherever you stand on sex work and depending on which party you're in, that you either support really tangible things for prevention and protection or not. I'm going to continue pushing that, particularly to end any form of gender-based violence.

My next question is for Madam Snider.

You submitted a brief, and I want to speak specifically to the legislation everybody's talking about today. This came from the Canadian Alliance for Sex Work Law Reform, which is an alliance of 25 sex worker rights groups across the country led predominantly by and for sex workers. I believe in decisions that are "nothing about us without us".

Along with several individual applicants, they filed a constitutional challenge against the PCEPA in 2021, arguing the law violates sex workers' constitutional rights to "security, personal autonomy, life, liberty, free expression, free association, and equality."

In your brief, you said:

In addition, as the laws related to sex work are again to be challenged in the Supreme Court in the near future, we want to caution against the conflation of sex work and sex trafficking. We acknowledge the divide between sex workers and sex worker rights advocates, and those impacted or trafficked in the industry.

I'm wondering if you could expand a bit on that point.

Ms. Krystal Snider: I think this has been a long-standing conversation, as it should be. My point there is that you can support the work to end human trafficking while also protecting the rights of those who are engaged in the sex industry by choice. That is what I was getting to with that point.

Ms. Leah Gazan: Thank you.

Madam Walker, you spoke to the need to amend the bill to take out the criminalization of those in sex work. Is that right?

Ms. Megan Walker: No.

Ms. Leah Gazan: Do you believe we should still criminalize sex workers? I'm sorry. I'm just trying to understand.

Ms. Megan Walker: Women in the commercial sex industry are not generally charged or criminalized. They are immune from prosecution. It is the demand for service—the men—that is criminalized. There is a section in the legislation, however, that may criminalize women if they are prostituting themselves in areas close to schools and things like that. That's what I would like to remove.

Ms. Leah Gazan: Okay. I have concerns about that.

[*Translation*]

Ms. Andréanne Larouche: Madam Chair, could you pause Ms. Gazan's time.

I don't know what is happening with the interpretation, but I keep hearing things like “microphone not on” and “microphone inaudible”. I don't know what is happening, but perhaps we could take a moment to try to fix this technical issue.

I'm sorry, Ms. Gazan.

[*English*]

The Chair: Yes, absolutely there is a problem.

If we're not using our microphones, we have to make sure we turn them off. All members and all witnesses, could we pay attention to that? Thank you so much.

• (1145)

Ms. Leah Gazan: Do I get an extra three minutes, Madam Chair?

Some hon. members: Oh, oh!

Ms. Leah Gazan: Just try to be fair.

The Chair: We'll work all we can. We'll make sure there's fairness.

Is everybody okay right now? Everything is working.

The floor goes back to you, Leah.

Ms. Leah Gazan: Getting back to Madam Snider, I asked that question because you mentioned Butterfly. What is it?

Ms. Krystal Snider: It's Butterfly Toronto for migrant sex workers.

Ms. Leah Gazan: One of the things they said—and I quoted them in the last committee meeting—was about how the way the system's currently set up places migrant sex workers particularly, who are not being trafficked, at risk, because even if something happens, they are scared to report because they are afraid of being deported.

We had the IRCC in the other day, and you, in your report, cautioned against harm and mass deportation of migrant sex workers who do not identify as survivors of trafficking as a way to protect women from predators.

Can you expand on that, please?

Ms. Krystal Snider: Yes.

I want to speak as well to the suggestion that in the laws, women shouldn't be charged or are not charged: Women are charged every day for crimes related to trafficking. That's a great example of how that legislation is used to disproportionately impact, criminalize or deport folks.

Women are charged constantly for fraud-related charges and for trafficking others while under the direction of their trafficker, despite what the law currently says.

You mentioned—

The Chair: I had stopped your time. You have one second. During the point of order, I stopped everything. Sorry, Leah.

We are going to be going around. We will be starting our second round. We only have eight minutes left, so we will go to Dominique and then over to Sonia. It will be two minutes and two minutes.

Go ahead, Dominique, for five minutes.

[*Translation*]

Mrs. Dominique Vien (Bellechasse—Les Etchemins—Lévis, CPC): Thank you very much, Madam Chair.

Thank you, ladies, for being here with us today.

Ms. Matte, could you explain the difference between men and women who choose to work in the sex trade and human trafficking?

I think we are confusing those concepts a little.

When does it become trafficking? Is it when there is someone who is taking or managing the money? How should that be understood?

Ms. Diane Matte: It's not a simple matter.

I think that we've gotten too accustomed to looking at human trafficking from a purely legal perspective. When we see what prostitution does to the lives of women, we see that it doesn't really matter whether we refer to it as trafficking or not. The Palermo convention sought to define trafficking as situations in which people are displaced, their documents are withheld, or conditions are imposed on them so that they actually become slaves or entrapped.

Regardless of what led these women or men to enter the sex trade, we have enough information to know that prostitution itself has a major impact on the lives of women, who are the ones who are primarily concerned, obviously. Trafficking is another element that adds to the various forms of violence they may experience.

Mrs. Dominique Vien: Are these people always moved or displaced?

Ms. Diane Matte: No, not necessarily, especially not across the border. In Canada, for example, most cases involve domestic trafficking, meaning it occurs between cities in the same country. Right now, particularly because of the recent case before the Ontario Court of Appeal and the lobby that is trying to completely decriminalize prostitution, the danger is that people are talking as though there is some healthy type of prostitution that can please women and make them rich, happy people. In reality, that is not true. I have seen thousands of these women. We talk to many women from around the world.

There is an idea going around that there could be a well-regulated, properly governed industry that would benefit women, where all of the women would be treated properly. In every county where prostitution exists and, of course, in every country that legalized, regulated or even completely decriminalized it, such as New Zealand, the everyday reality is that there are more indigenous women in the sex trade and more children who are being brought into it. It is the sex trade that—

• (1150)

Mrs. Dominique Vien: Excuse me. I don't have very much time.

I want to follow up on what you were saying earlier about the massage parlours.

There are massage parlours, motels and hotels. One of my colleagues mentioned highway 401 last week. There are starting to be quite a few places and quite a few people who are seeing all this movement within their walls, in hotels and on the highways.

How is it that we are unable to uncover more of this than we are now?

How are the police acting in this regard? Are they making this issue a priority?

Ms. Diane Matte: No, absolutely not.

In 2014, the Concertation des luttes contre l'exploitation sexuelle provided an overview of the sex trade in Montreal and the surrounding areas. We identified 270 massage parlours in Montreal and its suburbs alone. We are talking about thousands of women who are in this type of situation and these infamous massage parlours. The police cannot do anything unless there is a complaint.

In a few seconds, I would say that the sex trade has managed to establish itself in our minds and in our communities as an industry like any other.

In order to get a licence to open a massage parlour, all I need to do is request a licence to provide personal care services. It is the same thing for hair stylists. Anyone who offers personal care services, such as massage therapy, can get a licence. As Ms. Larouche mentioned, there is a lack of co-operation between the various levels of government. The municipal regulations for obtaining a licence do not govern what happens inside those establishments. The police do not intervene either, unless there is a complaint. The massage parlours are—

Mrs. Dominique Vien: In that case, should we be doing more, Ms. Matte?

Ms. Diane Matte: Yes, obviously.

Mrs. Dominique Vien: Okay.

[English]

The Chair: Thank you so much.

We're now going to pass it over to Sonia Sidhu, who is online. She'll be asking the questions online.

Sonia, you have five minutes.

Ms. Sonia Sidhu (Brampton South, Lib.): Thank you, Madam Chair, and thank you to all the witnesses for joining us and sharing their insights, especially their lived experiences on this difficult topic.

My question will be directed to Ms. Snider.

Ms. Snider, on the weekend I attended an event with Embrave, from Peel, a local agency working to provide support to survivors and their families. They have a hotline, a shelter and peer-to-peer support.

Do you believe the wraparound approach is effective?

Ms. Krystal Snider: Yes.

If you look at the national strategy, a significant gap was in the leveraging of lived experience and the funding of peer-type projects and peer agencies.

You spoke about family, and that was another piece that was significantly missed in the national strategy: family reunification and family strengthening. It can be very difficult to traffic people who are well connected to others and to themselves. Yes, I believe that's an effective strategy.

Ms. Sonia Sidhu: I know you are doing a lot of good work with the data. How can we improve data collection for human trafficking across the country?

Ms. Krystal Snider: I definitely don't feel equipped to answer that question, other than to say to have conversations at the national level.

I heard there was a national table to end human trafficking meeting. The first I heard of this was watching one of these videos. I wonder about expanding those national tables and incorporating...not just incorporating, but making it necessary for folks with lived experience to be sitting there. Not only would they be sitting there; they'd also be getting paid for their time in helping to bring those things to fruition and not being re-exploited.

Ms. Sonia Sidhu: We heard that all levels need to be working on the matter of care. How can we make sure all partners are using a consistent approach or response?

Ms. Krystal Snider: I think it's in creating those national guidelines. I saw that there was a call for them some time ago. I don't believe anybody was awarded that call for national guidelines to set a standard for human trafficking identification awareness for front-line workers and beyond in Canada. Perhaps revisit that.

Again, that's more of a collective approach, rather than one agency holding it.

• (1155)

Ms. Sonia Sidhu: Thank you.

We know technology and online exploitation are big components in the issue of human trafficking. In your view, how can we combat human trafficking in online spaces?

Ms. Krystal Snider: I think there is significant accountability for social media platforms. That needs to be addressed and possibly legislated.

The youth know this, yet youth need to be made aware. They need to lead these initiatives as well, in terms of online awareness and the gaps they see. I have a 16-year-old daughter. She's the first person I ask about different privacy things on apps and how to navigate different trends coming up. I think centring youth in those initiatives is important for prevention.

Ms. Sonia Sidhu: You spoke about having survivors at the table when engaging with survivors. Can you comment on the importance of trauma-informed care?

Ms. Krystal Snider: I'm speaking to meaningful engagement with survivors. I think survivor-led initiatives are important. We're certainly hearing more about them.

I think there need to be not just trauma-informed spaces but survivor-informed spaces. There are multiple nuances that need to be considered when inviting survivors to the table. We have to be very aware of how we might re-exploit survivors when we engage them, and how to mitigate those risks.

Also, it's having more than one survivor. I cannot speak for all survivors across the country. I am a white, cis, straight woman; my experience is very different from the experience of other survivors. There is a need for a variety of folks to come forward about their own experiences in a way that is meaningful.

Ms. Sonia Sidhu: Thank you.

Are there any last comments on that?

Ms. Krystal Snider: No. It will come later, after I'm all done here.

Ms. Megan Walker: Can I update you on two items you raised?

One is around how we collect data. The Human Trafficking Hotline in Toronto acts for the entire country and is doing data collection, which is very valuable.

Secondly, I just wanted to—

[*Translation*]

Ms. Andréanne Larouche: Excuse me for interrupting, Madam Chair.

There is a problem with the interpretation. Earlier, a microphone turned itself on and that seems to have blocked the interpretation. I do not know what is happening on the technical side of things.

The Chair: Yes, that's right.

[*English*]

The time was up for that one.

I'll let you know what's going on. The interpreters have asked to reboot. It will take us five minutes if we do so. We have three minutes left for this panel. I have four minutes left of questions.

You have two minutes and Leah has two minutes. The issue here is that we will also be rebooting on the next section, because we'll be going in camera.

I am going to ask if we can personally be responsible. I recognize that the translators need to be able to do their jobs, but I'm asking whether we can all be responsible for the microphones around us to ensure that we get the work of the committee done on top of having to reboot it. That is so we can work and do both at the same time, so can we all watch these?

Marc, you're in charge of all of those five. You're in charge of those.

We're going to all work together. If you see a red light and no one's speaking, please tap it.

I'm going to pass it over to Andréanne. You have two minutes. Go ahead.

[*Translation*]

Ms. Andréanne Larouche: Thank you, Madam Chair.

I want to once again thank the three witnesses, Ms. Snider, Ms. Matte and Ms. Walker, for being here.

I want to address something that Ms. Walker and Ms. Snider both brought up.

As we have seen, the pandemic changed the face of human trafficking. A lot of it has moved to online spaces.

Ms. Snider talked a bit about the importance of taking action against cybercrime and cyberviolence, but I would like to know what Ms. Walker thinks about that.

Should the government adopt legislation to tighten control over what is happening online with human trafficking?

[*English*]

Ms. Megan Walker: Absolutely. Traffickers will recruit from wherever they can, whether it's online, on the streets, at a bar or a restaurant or wherever it is.

Of course, online is a major hub for luring, but more importantly, it's a major hub for exploitation. Many girls, particularly those who are underage, are groomed on social media to believe that the person talking to them is a friend who would like to have a relationship with them. On many occasions like that, she's forced to touch herself, take off her clothes or do things like that. This is the link to Pornhub or pornography, because often whatever she is doing is then transferred and uploaded onto Pornhub and other porn sites.

How do we stop it? Trafficking is a really complex issue. The core of it involves primarily women, and women do not have equal rights in this country. Women need rights, and we need to name the problem that is impacting women. In this case, it's trafficking. In other cases, it's male violence against women in domestic relationships—

• (1200)

The Chair: That's perfect.

I'm sorry. I didn't have my arms going enough, Megan. It's all good.

Ms. Megan Walker: I'm sorry. I thought it was a windmill.

Voices: Oh, oh!

The Chair: Are you saying that I let off a lot of hot air there, Megan?

I'm going to move it on [*Inaudible—Editor*] to Leah.

Ms. Leah Gazan: I'll be blunt here. I'm all into keeping people alive and into harm reduction.

I want to point to the National Inquiry into Missing and Murdered Indigenous Women and Girls call for justice 9.11, which, in a synopsis, calls “upon police services to develop and implement guidelines” for the sex industry in consultation with sex workers. It says in call 4.3 that we call on the government “to support programs and services for Indigenous women, girls and 2SLGBTQQIA people in the sex industry to promote their safety and security”, and then it goes on.

I say that because I find that a lot of the laws, and even some of the interventions, are being put in place without sex workers or people involved in the industry being included, and it's causing women, girls and diverse-gendered folks to actually be unsafe. Could you expand on that, please, Madam Snider?

Ms. Krystal Snider: Yes. Again to that point, having representation from the people who are impacted is so important. You know, one very unique area that we're not talking about today is rural communities. Indigenous women, girls and two-spirit folks are in lots of rural communities. The issues are nuanced, and they are layered.

Policing relationships with communities are quite strained. How are we expected to build relationships and to address an issue when a lot of the violence is coming from the people enforcing the laws onto the people who are supposed to be protected?

Ms. Leah Gazan: I would add to that. I've brought it up in other committees. There have been several reports, in fact, of RCMP being engaged in sex trafficking, for example, or violence against indigenous women. Is that what you've witnessed in your research?

Ms. Krystal Snider: Yes. I think what can be difficult is to ask survivors to come forward to police when we know that a lot of times police are purchasing. That's not exclusive to police. It's not only police who purchase, but it is connected, and it's hard to come forward.

The Chair: Krystal, thank you so much.

On behalf of the Status of Women Committee, I would like to thank Krystal, Diane and Megan for coming here and providing us your insights.

We'll now be switching up. We're going to suspend for about a minute. As I said, the next hour is actually 45 minutes. Stay tuned.

• (1200)

(Pause)

• (1205)

The Chair: I'm going to start the meeting because I know that time is very tight. Could I just ask everybody to bring it down? We're reconvening this meeting.

I would like to welcome our witnesses, who are online and in the room. In the room, we have the Sex Workers of Winnipeg Action Coalition, with Kate Sinclair. Online, from the Canadian Alliance for Sex Work Law Reform, we have Jenn Clamen, who is the national coordinator.

I'm just going to let everybody know that we are still having some computer issues. This is where I need everybody to play along. If your computer goes on and you're not speaking, make sure you turn it off if there's one close to you. If not, we'll have to restart the whole system. I'm just trying to save us all time.

I'm going to pass the floor over to Jenn Clamen online for her opening five minutes.

Once again, everybody, please watch your mikes.

Ms. Jenn Clamen (National Coordinator, Canadian Alliance for Sex Work Law Reform): Our member groups across the country represent the experiences of thousands of sex workers who sell or trade sexual services. Our members have extensive personal expertise in mitigating interpersonal and state violence and labour exploitation. They also have experiences of the impacts of anti-trafficking initiatives.

“Human trafficking” is a loaded term used in this committee and elsewhere to describe everything from intimate partner violence to sex work to labour exploitation.

The other day, one MP in this committee was talking about sex-tortion as trafficking. Last week and this morning, you heard from anti-trans and anti-sex work groups who define prostitution as trafficking. Increasingly we see conflation of the different kinds of violence and things that aren't violence packaged as human trafficking. The first line of work that this committee must do is untangle, and be much more critical of, the anti-trafficking paradigm.

These conflations are part of the reason that you can't seem to pinpoint the statistics you're desperately looking for. When violence against sex workers is defined as sex trafficking, it creates a framework that grossly overstates statistics and mandates police to surveil the lives of already criminalized communities. This conflation obscures responses to the real structural problems of targeted violence, poverty, homelessness, housing and lack of education. It is disingenuous to package these concerns and lack of opportunities as human trafficking. Anti-trafficking measures put marginalized communities at risk of violence.

Any measure of protection that relies on policing and surveilling our most marginalized communities to fulfill its mandate, the way that anti-trafficking measures do, is neither protective nor feminist. Indigenous women who live and work in public space bear a huge brunt of this.

All indigenous women who sell or trade sex are assumed to be trafficked, but many do sex work as a means of generating money or resources in a context of poverty. Negating the agency of indigenous women who sell sexual services and labelling them as victims deflects from recognizing the numerous ways that a colonial state reproduces violence, injustices and other harms, including displacement, homelessness, poverty, racism, inequality and barriers to accessing services, supports and resources. Loitering laws, public space violations, sex work laws and drug laws are used to target and arrest indigenous women and mandate police to detect, not protect.

Migrant sex workers experience threats of detention and deportation that push them into precarious working conditions, increase vulnerabilities to labour exploitation and deter them from seeking supports.

Police pair up with the Canada Border Services Agency to surveil indoor workspaces where migrant, racialized workers labour, and they use criminal laws, IRPR provisions that prohibit sex work, and municipal bylaws in so-called protective anti-trafficking efforts. Anti-trafficking initiatives are underpinned by racist and anti-migrant ideologies. Racialized communities are characterized as supposed organized crime rings. At last week's session, one MP asked how many foreign perpetrators are coming abroad illegally. She recognized that there is no data to back this up.

Black sex workers experience their share of racism. They are overrepresented in street checks and experience over-policing and underprotection on a regular basis.

Removing laws that criminalize the lives of marginalized sex workers who are currently criminalized, regardless of the lies you were just told, will not increase violence and most definitely will reduce it.

Anti-trafficking enforcement is a source of harm for all sex workers. It causes antagonism and a lack of trust. It causes violence by police and by others, and it causes people to lose mobility, lose opportunity and lose access.

We have some concrete solutions for you. You need to start with law reform.

First is to remove criminal, immigration and municipal laws and regulations. Repeal PCEPA, the sex work laws. As long as any part of sex work is criminalized, sex workers are unlikely to report. Remove the bylaws that allow entry into predominantly migrant sex work spaces. Repeal the IRPR regulations that prohibit sex work. CBSA needs to stop "visiting" massage parlours. Expunge sex workers' records for sex work convictions that impede economic and physical mobility.

Two, immediately ensure full and permanent immigration status for all in Canada without exception and provide everybody with access-without-fear services.

Three, reframe funding and policy initiatives so that they are not dependent on anti-human trafficking frameworks. Anti-trafficking services, including most victim funds, are a barrier to sex workers' getting support. They require sex workers to identify as victims of human trafficking or to exit sex work. In this vein, you need to recognize sex work as work in policy and practice. That means investment in addressing labour exploitation and improving working conditions for sex workers.

Four, invest money in sex worker-led community initiatives, indigenous sex worker groups, migrant sex worker groups and Black sex worker groups. They all exist. Groups you heard from this morning, as with Krystal, literally dictate and define women's experiences for them. We need non-judgmental programs that don't seek to minimize opportunities for sex work or that seek to abolish or conflate sex work with trafficking.

• (1210)

The Chair: Thanks very much.

We're now going to pass it to Kate Sinclair for five minutes.

Ms. Kate Sinclair (Member, Sex Workers of Winnipeg Action Coalition): Thank you very much for having me here.

My name is Kate Sinclair. I am currently studying law here in Ottawa. I'm a member of the Sex Workers of Winnipeg Action Coalition. SWWAC is a group of sex workers, activists, allies and researchers and is based back in my home town of Winnipeg, Manitoba, on Treaty 1 territory, and was founded in 2014. We have a clear mission to fight exploitation, not sex workers.

We can't keep trying to end abuse by criminalizing and surveilling sex workers. These laws and policies often place the blame for trafficking directly on sex workers themselves, creating a simultaneous victim and abuser identity that is impossible to navigate. It encourages law enforcement to drop in on sex workers with "wellness checks" and empowers raids, arrests, deportation and other forms of state violence.

A story that might help you understand this comes from my own life working in queer adult film. I was contacted out of the blue by a sex worker I had never met. She was trying to double-check if she was going to have an audition with my company. This was the first I'd heard of it, because I don't hold auditions. As it turns out, someone was using my reputation and status as a filmmaker to lure sex workers to a rural address.

He was stealing my name to get free sex, which is abuse. He knew that the systems that criminalize workers and their clients actually benefited him, and he was right. We realized that we couldn't come forward to report this man to police. The worker was rightly, and from experience, more concerned about being arrested herself, losing her income and losing her kids. Why? It's because of laws and attitudes that cast sex workers as both traffickers and trafficked, victims and abusers.

We had his address and we could not come forward, so we did what we could to keep people in the area safe. We posted warnings online. We reached out to local sex worker groups. We tried our best to keep others from accepting his pitch. Keep in mind that policing the Internet and physical spaces to keep sex work invisible and as far away from the community as possible means that warnings can only go so far. It has only gotten worse in recent years with anti-trafficking legislation in digital spheres.

If we want to address harm, we need to step back and look at the circumstances that Canada has put in place to put people there, such as oppressive immigration systems, criminalization of sex work, poverty, access to housing, a race to the bottom in worker rights and minimum wages, poor support for those living with disabilities and police surveillance of marginalized communities.

Going forward, think of support, not more criminalization in a system that is already hostile to women, girls, and gender-diverse folks. Don't think in patronizing "deportation and incarceration will save you" attitudes.

Sex workers have been supporting our communities while being criminalized for a long time. Keep us at your discussion tables, fund sex worker-led programs and listen when we speak. Start with an end to laws against sex work. Provide immigration status for mi-

grant sex workers, affordable housing and a guaranteed basic livable income.

We have laws around trafficking. We have laws, and if they aren't working or being used, we need to analyze why, not make new laws that will just uphold the status quo.

I'll wrap up with another story from an indigenous prairie sex worker, who wrote, "When I was a youth, I was houseless and participated in survival street sex work. Having been a sex worker is something I've always been open about in my writing, activism and scholarship. I'm not ashamed, because I am describing a common experience for indigenous prairie youth. Anti-sex work rhetoric is anti-Black, anti-indigenous, whorephobic, transmisogynistic and classist, no matter how you try to dress it up in the aesthetics of resistance and decoloniality. To circulate anti-sex work rhetoric is to have indigenous blood on your hands. The violent force that pushed me into sex work was Canada and Canadians."

We as SWWAC remind you to fight exploitation, not sex workers. Together, we can make a safer world for everyone.

Thank you very much, and I do welcome any questions that you may have.

• (12:15)

The Chair: Thank you very much for both of your opening statements.

We will now start our first round.

To let you know, we'll be stopping at 12:45 today, because we have business that we need to get into. We're tight at 12:45.

Michelle, I'm passing it over to you for six minutes.

Ms. Michelle Ferreri (Peterborough—Kawartha, CPC): Thanks, Madam Chair, and thank you to the witnesses.

I'm going to ask both of you ladies, if you're okay, to answer this question.

What do you think the government is not delivering in what it said it would deliver to help improve and reduce human trafficking in our country? I don't mean improve human trafficking, but reduce it and improve.... You know what I'm trying to say there.

Ms. Kate Sinclair: That works.

I think there have been promises to work on the decriminalization of sex work and there have been promises to offer safe spaces for migrant workers, and we haven't seen any of that. We instead saw a consultation with the justice committee around the current sex work law, PCEPA, that really just maintained the status quo. They just said, "Okay, we're going to listen to these anti-trafficking groups instead of listening to sex workers." We've shown up at these panels many times, and for some reason we just keep getting brushed aside, kind of like a tick box to have at the committees. Then they just don't take our recommendations, which has been really frustrating.

Immediate work can be taken to decriminalize sex work as a starting point.

I can toss it to Jenn for any additional comments. She may have more to say.

Ms. Jenn Clamen: Thanks, Kate. You did a great job of that. I appreciate it.

The government has most definitely.... It's all of the governments. There used to be an idea that only the Conservative government was heavily leaning into enforcing law and putting money into law enforcement, but now we have all the governments sort of leaning on law enforcement as a solution to almost every social problem that exists.

You've been told time and time again—not just by me and Kate this morning, but by people in various communities, including at the missing and murdered Indigenous women's committee—that law enforcement is actually not reducing violence of any kind. I really think that needs to be taken seriously, and that less money needs to be poured into law enforcement. I—

Ms. Michelle Ferreri: Sorry; may I just interject and question you on something there, Ms. Clamen? Do you not think that bail reform for people who are committing crimes should be enforced, then?

I understand the aspect of victims and survivors, but from what I just heard you say, it sounds like you're saying we shouldn't be putting criminals behind bars.

• (1220)

Ms. Jenn Clamen: I definitely didn't say not to use the criminal law under any conditions. I most definitely didn't say that. I said that there is too much money being poured into this notion of human trafficking and that there are no supports for people who are actually experiencing violence. That's what I'm trying to say.

Also, what I've been seeing in human trafficking initiatives, policies and discussions—because there have been many over the years—is that more money just keeps going into law enforcement, while very little money actually goes back into communities to address the violence that people are experiencing.

One of the other things that has been recommended to this government on many occasions, including at the last justice committee review of the sex work laws, is the removal of the provisions within the immigrant and refugee protections regulations that make it illegal for people to work in the sex industry. The harms of creating

that barrier have been demonstrated in statistics and reports that I'm happy to send to you.

There are a lot of pieces of law reform that this government isn't doing and, as I said in my talk, that's where you need to start.

Ms. Michelle Ferreri: I appreciate that. Thanks for clarifying. I was just making sure I understood correctly.

Ms. Jenn Clamen: I most definitely wouldn't say not to.... For violence that people are experiencing, I'm saying not to add additional laws to that and not to lean in on laws that are not helping the situation, like the sex work laws, for example. Those are most definitely not reducing violence against women, and they are most definitely increasing violence against women, so I would repeal those laws.

Ms. Michelle Ferreri: Okay. Thank you so much for clarifying.

I guess one thing that has been really shocking in having some of the bureaucrats testify in this committee when we're investigating and trying to help victims and survivors of human trafficking is the lack of data. It is shocking to me.

Ms. Sinclair, you talked a lot about how a lot of the survivors can't or don't want to come forward, and we've heard about this as well. It's very hard to have testimony to put someone behind bars or to stop something because it's very hard for the survivor to come forward, and we don't want to revictimize. We don't want to retraumatize.

These numbers we are seeing are false. What do you suggest as solutions in order to get the data that we need?

Ms. Kate Sinclair: It's really important to know that the data is false because, as mentioned previously, a lot of this data includes people who are consensually working in sex work. A lot of the anti-trafficking groups specifically conflate the two so that it seems like it's a bigger problem than it is—not to say that it isn't a big problem.

If you are looking to get data, what you really need to do is build up relationships of trust with communities so that people feel comfortable coming forward, because we can't study something that can't be studied. If it's actually just pushed further and further down, we can't do any of that kind of study.

Really, it comes down to building relationships.

Ms. Michelle Ferreri: I'll just make a quick comment. I'm not sure if you guys have watched *Money Shot*, the Pornhub documentary. It's the number two documentary right now. It's a very interesting dissection on the difference between those who are exploited and those who are sex workers, and it includes testimony by members of the Canadian Parliament.

I'm just curious if you could, in 10 seconds, give us your thoughts on it, Ms. Sinclair.

Ms. Kate Sinclair: That documentary, I think, is really important, because it does give the mike to workers. There were anti-trafficking groups involved in it who spoke, and it really exposed just how biased all of their data is. It's really important to listen to the workers.

The Chair: Thank you so much.

We're now going to move online to Emmanuella Lambropoulos.

Emmanuella, I'm turning the floor over to you for six minutes.

Ms. Emmanuella Lambropoulos (Saint-Laurent, Lib.): Thank you, Madam Chair.

I just want to apologize in advance in case I say anything that's ignorant. I am trying to learn and I'm here to listen.

I'm obviously hearing from different witnesses here today who have pointed to people who are not necessarily the people to be listening to, and that's where we're getting our information from, so I apologize in advance for that.

I want to take something that was suggested earlier by a previous witness and hear the thoughts of the witnesses currently before us. One of our witnesses, Krystal Snider, mentioned that we should be implementing or putting into place the UN non-punishment principle for people who are being trafficked or who are being controlled by a trafficker. There was some push-back from another witness within that same panel, who said that women who are trafficked are not prosecuted.

I'm wondering if you guys can clarify that and tell me what your thoughts are on that as well.

• (1225)

Ms. Jenn Clamen: I can go first, if that's okay, Kate.

I really appreciated when Krystal Snider corrected the misinformation you were being fed by the two people who actually don't have experience in the industry but who just have analysis based on their ideology. What Krystal was suggesting is most definitely the case.

For one, many sex workers and family members and communities are arrested with trafficking laws because of the ways family members or community members are labelled as traffickers or assumed to be traffickers. I think some of the racist undertones are the ways communities get racialized in this process.

A really good indicator of how that process works is that we often see cases of Black men trafficking white women, or there's the idea that foreign illegals are trafficking white women, so a lot of those ideas get translated through law enforcement.

What the committee members earlier were talking to is the way the sex laws under PCEPA work, and the sex work laws under PCEPA absolutely criminalize all people in the sex industry, including sex workers. One of the members of this committee asked for a copy of the clause. It's in the criminal law. It's under PCEPA, so you have access to it. It's in your own laws.

Those criminal laws most definitely criminalize sex workers in the industry. There's a clause that suggests that sex workers cannot be prosecuted for the sale of their own sexual services, but sex work and sex workers are criminalized at all times in every context. Just because sex workers can't be prosecuted doesn't mean sex workers are not operating and living in a context of criminality. That's the way the sex workers organize their work, and that will determine whether or not sex workers will report to police.

Everything about sex work is illegal, and sex workers are at all times criminalized, so when you have human trafficking laws plus sex work laws plus the additional immigration provisions plus the bylaws plus the loitering, etc., the context of criminalization for people working in the sex industry is unbearable and most definitely not a trust-creating one.

Ms. Emmanuella Lambropoulos: I totally hear that.

Ms. Sinclair, would you like to add to that?

Ms. Kate Sinclair: Yes. I was just going to talk specifically about law enforcement and especially about anti-trafficking training programs that keep these conflation definitions going.

In Winnipeg we have the Joy Smith Foundation, which is well funded and educates our police on trafficking. That group also conflates sex work and trafficking. When police are themselves educated, they are educated to see sex workers as both trafficked and trafficker, so they are absolutely charged under these laws.

Another group, one that is not in my city, trains the RCMP as well as a bunch of Alberta police services. I did their training program for fun to see what they are saying. They say that studies show that human trafficking increases when the sex trade industry thrives. This means human trafficking and exploitation will continue as long as there is a demand for commercial sex work.

Their goal is to put an end to sex workers. I want to be clear about this: It's not just to end a commercial sex industry; it is talking about pushing workers underground, and the cost doesn't matter.

I'd just like to really outline that this is the training our law enforcement is receiving.

Ms. Emmanuella Lambropoulos: Thank you very much.

In a way, I agree a bit with one of the things that our previous witness said, in the sense that demand is obviously what grows the need for supply. There's a bigger need for supply, and that may make traffickers try to recruit more people and try to push more people in that direction.

If it's not through law enforcement, what are some other ways that we can educate people? At what age should that education begin in order to make sure that they're aware of what a trafficker might look like and how to protect themselves from being put into that trade?

Ms. Jenn Clamen: I can start.

I don't know what a trafficker looks like. I don't know if you know what a trafficker looks like. I think it's a ridiculous notion to assume that we could ever know what a trafficker looks like, when all of you are using definitions of trafficking that aren't actually the same.

I will go back to the idea that nobody's saying not to use law enforcement in any way whatsoever, but there are certain laws at law enforcement's disposal that are actually causing harm to people in the sex industry, like the sex work laws. It's not just to people in the sex industry, but to all people who sell or trade sex in general. It's the sex work laws, the loitering laws and the regulations in the IR-PR, so it's a question of removing those laws and then simultaneously—

• (1230)

The Chair: That's fantastic. Thank you so much, Jenn.

We're now going to move to Rhéal Fortin for six minutes, please.

[*Translation*]

Mr. Rhéal Éloi Fortin (Rivière-du-Nord, BQ): Thank you, Madam Chair.

Ms. Sinclair and Ms. Clamen, thank you for being with us.

Protecting sex workers from human trafficking is an important issue. One of the biggest difficulties is that we are not always talking about the same thing when we talk about it. You mentioned it before. It is important to make a distinction between sex workers and victims of human trafficking.

I would ask you, each in turn, to come back to that to clarify and state, as simply as possible, the difference that you see between sex workers and the victims of human trafficking.

Ms. Sinclair, I will ask you to go first.

[*English*]

Ms. Kate Sinclair: In general, we can start with how sex workers are operating consensually. There can be a number of different factors that influence that consent, as I was talking about with the story I presented about the indigenous sex worker. There are conditions that make people have to make that choice. Sometimes other groups will consider that trafficking, but in this case—

A voice: [*Inaudible—Editor*]

The Chair: Is it the interpretation again? Do we need to take a pause?

I'm going to speak in English and see if the translation is working.

Dominique and Rhéal, can you hear me?

Mrs. Dominique Vien: The problem is with the witness's microphone.

The Chair: Kate, can you keep on speaking to ensure that your microphone is working?

Ms. Kate Sinclair: Can you hear me now?

Excellent.

The Chair: Keep on speaking.

Ms. Kate Sinclair: It's very important to understand that people make their choices for different reasons. Just because it's a choice that someone else wouldn't make doesn't automatically make it trafficking.

The Chair: The earphone that Ms. Sinclair is using is too close to this piece right here. Perhaps if you take off your earpiece while you're speaking and set it aside, that may work.

I'm getting a thumbs-up. Okay, great.

We're going to turn it back to you. I know you started to answer that question.

Rhéal, are you good with her just going back to answering the question?

[*Translation*]

Mr. Rhéal Éloi Fortin: Yes, Madam Chair.

How much time do I have left?

[*English*]

The Chair: You had four minutes and 32 seconds when I stopped the clock, so I will continue to watch this.

[*Translation*]

Mr. Rhéal Éloi Fortin: Thank you.

Ms. Sinclair, I will repeat my question because I do not know how much of it you heard.

I was talking about the importance of making a distinction between sex workers and victims of human trafficking since the two are not treated or protected in the same way. In my opinion, human traffickers should be punished, whereas sex workers likely should not be.

I would like to understand the distinction that you make between the two. Please clarify that as much as possible in one minute, please.

I would like Ms. Sinclair to answer first and then Ms. Clamen.

[*English*]

Ms. Kate Sinclair: The distinction between the two, again, is that generally folks in sex work are choosing to be there. It's a consensual occupation. Again, the reasons that people come to sex work might be varied. It might not be the choice that everyone would make, but we have to remember that these are choices people need to make to survive under the conditions we have given them in Canada.

The distinction between sex work and trafficking would be folks who didn't choose to be there, but with the emphasis that not choosing to be there doesn't include making survival choices.

• (1235)

[*Translation*]

Mr. Rhéal Éloi Fortin: Madam Chair, there is no interpretation.

[*English*]

The Chair: We will suspend for a second, please.

This has been a lovely Monday morning that we're all getting to enjoy. Kate and Jenn, we're really enjoying this conversation, so I think we might ask you to come back.

We are missing out on about 10 minutes. We will not be able to get to those questions. We will have to stop and restart the system.

I'm sorry about that, Anita.

What we are going to do is extend an invitation to both Kate and Jenn for just a couple of minutes. We have had your opening state-

ments, so it will be just for questions, because I know that both Rhéal and Leah have questions they want to ask. It's just that our system is not working.

What I'm going to do now is close this section of the meeting and then restart and go in camera, because there is committee business as part of this committee meeting as well.

There are two things: We're going to shut down this part of the meeting and restart in camera. That means we'll be in camera, so all staff who are not affiliated with a member or a party must leave the room.

Jenn and Kate, can I get—

Go ahead, Rhéal.

[*Translation*]

Mr. Rhéal Éloi Fortin: Madam Chair, I simply want to mention that we also need interpretation services when we are working in camera.

The Chair: It is a different problem.

[*English*]

This computer has to be shut down. That's the biggest thing. That is what's causing these microphone issues.

I'm going to suspend, and we will reconvene in a couple of minutes, hopefully.

[*Proceedings continue in camera*]

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