

Improving the Knowledge of Aboriginal Peoples' Experiences in *Trafficking in Persons* and
Sexual Exploitation: A Discussion

Summary report of presentations delivered at
The Policy Forum
on Trafficking in Persons and the Sexual Exploitation
of Aboriginal People
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Executive Summary

Wahkotowin: A Knowledge Exchange Forum on Trafficking in Persons and Sexual Exploitation of Aboriginal Peoples was a one-day gathering that brought together a small but diverse group of Aboriginal community members, policy thinkers, academics and researchers, for the purpose of better understanding the experiences of Aboriginal people in human trafficking and sexual exploitation. The underlying goal of increasing knowledge in this area of Trafficking in Persons (TIP) was to advance enlightened, informed and far-sighted government policy for prevention of all forms of TIP among Aboriginal youth in urban centres in Canada. The *Office of the Federal Interlocutor for Métis and Non-Status Indians (OFI) of Aboriginal Affairs and Northern Development Canada (AANDC)* had become aware of, and identified a research gap in the knowledge and understanding of the specific gendered experiences of Aboriginal people in relation to human trafficking, specifically in the area of sexual exploitation.

The *Wahkotowin* Forum was jointly organized by the *First Peoples Group (FPG)* (at www.firstpeoplesgroup.com) and the OFI. It was held in Ottawa with a total of nine presenters; five of these gave individual presentations and four spoke as part of a panel. The afternoon group work which concluded the day's efforts included the presenters and all the audience. FPG promoted dialogue and networking not only through the presentations, panel and group work exchanges, but also through informal dialogue and conversation during breaks and lunch time.

There were nine basic themes that emerged as a framework for policy development. The first was dealing with many Aboriginal people's specific life circumstances of marginalization although it was recognized that this is not a complete listing: the necessity for strong families, need to teach and honour youth, seeking adequate housing, vast improvements to physical and mental health, dealing with addictions, addressing social inequities and gender inequality, and healing from physical/ sexual abuse. The remaining eight were: education, community leadership/ involvement, cultural renewal/ revitalization, programs and services, partnerships, strategies, other agencies, and targeting the traffickers. These responses are significant and underlying contributions to the federal government's policy-making activities regarding trafficking in persons and sexual exploitation among Aboriginal populations. They are a part of the methodology (*eg.*, research, consultation, analysis, synthesis) from which TIP-related policies will be formulated.

As well as identifying foundational policy-developing themes, Forum presenters, speakers and group discussion reporters highlighted the following:

- there are many specific research needs – for example, while most knowledge about TIP within Aboriginal populations centers around the sexual exploitation of women and girls, very little is known about the extent and dynamics of male child/ youth experiences;
- there is an additional task of addressing the challenges of preventing Aboriginal people's involvement in TIP and sexual exploitation from a gendered perspective;
- the hidden nature of TIP combined with the historic relegation of First Nations from non-Aboriginal population centers to sometimes distant reserves contributes to poor

communication and the lack of knowledge and understanding of Aboriginal peoples' involvement in trafficking, and their vulnerability to TIP and sexual exploitation;

- the importance of the unique historical context of colonialism (that includes paternalism and residential schools) cannot be understated in all studies, research, policy-making, and preventative measures relating to Aboriginal populations, human trafficking and sexual exploitation;
- awareness-training in TIP (how to recognize, watch for signs, basic legal knowledge, *etc.*) for front-line services and other types of personnel in relevant fields (such as social services, child welfare, probation, elementary and secondary schools) is needed to help ensure protection of Aboriginal TIP victims;
- the importance of cultural well-being that includes family cohesiveness and strong cultural identities in combatting TIP (fulfilling the 4 "P"s) in Aboriginal populations must be strongly considered, and cannot be understated in designing and implementing policies that guide these activities; and,
- the technicalities of TIP legislation; the aims and activities of British Columbia's anti-TIP agency; and, the problematic nature of legal wordage and labels in relation to TIP, were explained.

The *First Peoples Group* placed strong emphasis on hearing from a male, and female, experiential speaker. This emphasis was derived partially from the words of one educator in particular, Peter Beresford, who stated that, "The closer the distance between direct experience [of marginalization] and knowledge, the more reliable the knowledge is likely to be" (2003, p. 22). The Forum's experiential speakers were a highlight of awareness in that many in the audience had never heard directly and first-hand about how tragically life can unfold for those who live "the typical Aboriginal life". Their messages pointed to the urgency and necessity of protecting Aboriginal children's rights with national, regional, provincial and municipal strategies that forward anti-TIP activity. While the connection between TIP and the experiential speakers' messages could have been made clearer by direct explanation of this connection, the lived realities of each speaker was a powerful and moving message to the audience.

Forum Summary Report

1.1 Introduction

The mandate of the Office of the Federal Interlocutor for Métis and Non-Status Indians (OFI) of Aboriginal Affairs and Northern Development Canada (AANDC) is derived from an Order in Council that provides authority to the Minister to act as the federal government's primary interlocutor for Métis, non-status Indians and urban Aboriginal people. The OFI maintains and strengthens the relations between the Government of Canada and organizations that represent Métis and non-status Indian people.

The OFI had recently identified a research gap in the knowledge and understanding of the experiences of Aboriginal people in relation to human trafficking, including the area of sexual exploitation. It worked with the First Peoples Group to present *Wahkotowin: A Knowledge Exchange Forum on Trafficking in Persons and Sexual Exploitation of Aboriginal Peoples*. The Cree word "wahkotowin" means "all my relations, including the spirit world"; its context within the one-day Forum describes how urban Aboriginal people may have changed over the decades while still being committed to caring for one another and preserving family kinship. The Forum's objective was to provide professional services for the development of a policy research paper that explores, in a gendered perspective, Aboriginal female and male youth sexual exploitation and domestic trafficking in persons and their relationships to the broader legal and policy contexts. This was accomplished through a literature review and interviews with key participants¹ on sexual exploitation and domestic trafficking in persons and the preparation of a report.

The Forum was held on Monday, March 5, 2012 at Room H of the Hampton Inn Ottawa, 100 Coventry Road in Ottawa.

1.2 Background and Purpose

The recruiting, transporting and harbouring of persons for exploitation of their labour or services is known as Trafficking in Persons (TIP). Traffickers determine the working environments and circumstances of those they traffic; non-trafficked persons, were they to find themselves in comparable lifestyles, would be fearful for their own and their loved ones' daily safety and well-being. Trafficked persons are subject to all types of abuse: emotional, sexual (and other types of physical exploitation), financial, mental and spiritual. The nature of their work, and working conditions, are appalling, and would never pass inspection from labour authorities at any government level. The non-working life conditions of trafficked individuals are usually no better.

TIP is a global problem (Andreas & Nadelmann, 2006; Denton, 2010; Winterdyk, Perrin, & Reichel, 2012) that Canada is committed to help resolve. It ratified the United Nations' *Protocol against the Smuggling of Migrants by Land, Air and Sea* and the *Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children*² in 2002. These are key to the way that Canada deals with TIP internationally. The latter Protocol came into effect in

¹The literature review and key interviews were not in the scope of the work between the First Peoples Group and the OFI.

²These protocols are a part of the *United Nations Convention against Transnational Organized Crime* (TOC).

Canada in late 2003; this means that the federal government is committed to collaborations with other countries to tackle international trafficking. As well, it reiterated a strong commitment against TIP within Canadian borders, called domestic trafficking. Anti-trafficking activities are guided by values often called the “4 Ps” of trafficking: prevention; protection of victims; prosecution of offenders; and, working in partnerships. The last “P” was added in 2008 by the Secretary-General of the United Nations, Ban Ki-moon.

To combat human trafficking, the federal government formed the *Interdepartmental Working Group on Trafficking in Persons* (IWGTIP). Eighteen federal government departments and agencies comprise this Committee which is jointly chaired by Public Safety Canada and the Department of Justice Canada. Other participants are the

1. Canada Border Services Agency;
2. Canadian Heritage;
3. Canadian International Development Agency (CIDA);
4. Criminal Intelligence Service Canada;
5. Citizenship and Immigration Canada;
6. Department of National Defence;
7. Department of Foreign Affairs and International Trade (DFAIT);
8. Health Canada (HC);
9. Human Resources and Skills Development Canada (HRSDC);
10. Aboriginal and Northern Development Canada (AANDC);
11. Passport Canada;
12. Public Prosecution Service of Canada;
13. Royal Canadian Mounted Police (RCMP) – the RCMP Human Trafficking National Coordination Centre (HTNCC);
14. Statistics Canada;
15. Status of Women Canada (SWC); and,
16. Public Health Agency of Canada (PHAC).

The efforts of these federal agencies and departments are coordinated to implement projects domestically and in source countries. Continuing active engagement in significant international cooperation to eradicate human trafficking, Canada’s efforts in developing and implementing tools for prosecuting traffickers have been according to the requirements of the UN Protocols. Activities include campaigns in awareness-raising, education and advocacy, and policy development collaborations. On an international scope, wider political reforms are arguably a necessity even as the federal government works at improving all frameworks for the protection and treatment of TIP victims who are caught in enforcement operations or who voluntarily seek help from authorities. This is an example of positive developments that still, however, need strengthening.

There is a lack of knowledge about trafficking in Aboriginal populations in Canada (Hunt, 2008; Ratansi, 2007). The overrepresentation of Aboriginal women in the survival sex trade combined with their high numbers as missing women in this country is well-known but these factors have not yet been evidenced, through research, to human trafficking (Sethi, 2007). Although many believe that these are most certainly strongly linked, little scholarly or community-based research

supports this conclusion. In 2008, one journalist, Tamara Cherry, interviewed Jo-Ann Daniels, the Interim Executive Director for Edmonton's Métis Settlements General Council. Daniels was quoted as saying

It is Aboriginal girls and women who are specifically targeted in this country to be trafficked, in such huge numbers that it does not compare to any other population. We believe that it is the root source of Aboriginal women ever being involved in the sex trade. We believe that Aboriginal women and Aboriginal girls have been domestically trafficked now for, I would say probably since the '50s when there began to be Aboriginal movement into urban areas or there were more contacts between Aboriginal communities and towns. (p. 1A)

Authors of the few human trafficking studies done in Canada also conclude that most victims are Aboriginal women and children: Barrett (2010), Oxman-Martinez, Lacroix and Hanley (2005), Sethi (2007) and Sikka (2009). Sikka (2010) asserts that the dynamics and intricacies of trafficking among Aboriginal populations are different from that of other populations, and other types of trafficking. She also believes that it fits less readily into the legislatively-defined criteria of trafficking and therefore leaves a significant gap in the levels of protection available to Aboriginal men, women, youth and children. She iterated the need for greatly improved understandings of this facet of human trafficking by those in anti-TIP efforts, including policy-makers, so that prevention in Aboriginal communities can also be vastly and appropriately improved.

Further, while there is some acknowledgement of the need to understand the historical context of colonialism from which sexual and other forms of exploitation of Aboriginal peoples has arisen, this understanding must drastically broaden in order to improve trafficking prevention measures. The importance of framing and defining trafficking's root causes cannot be understated because an understanding of its origins and dynamics is essential in addressing the myriad issues that result in trafficking. Only through such extended realizations can solutions to TIP in Aboriginal populations be derived. Groups and governments can begin by examining these historic root causes, then derive parallel contemporary solutions in response to those causes.

As well, gendered perspectives must be researched in detailing the *status quo* of sexual exploitation and trafficking in reserves and other Aboriginal communities. For example, it is only by thoroughly knowing the historic *Indian Act* and its extended workings that we can comprehend the place of vulnerability and marginalization into which Indian women have been displaced in their own, and the outer Canadian society. For example, by considering this statement: "Yet the greatest likelihood of trafficking occurs where women and girls are denied property rights, access to education, economic rights and participation in the political process" (Shelley, 2010, p. 16), one can correlate the legislation against Indian women that denied them all these things to the disproportionately high rate of their being trafficked.

1.3 Objectives

The objective of the Forum was identified as a way of better understanding the current realities of the issues of human trafficking and sexual exploitation for Aboriginal youth. Using the vital lens of a gendered perspective, it sought policy recommendations in this area.

Specifically, the realities being addressed were articulated as

- how youth exploitation and/or trafficking is occurring, and an understanding of the paths or forces that propelled them to being exploited and/or trafficked – is this by family, through relationships with friends, romantic partners, acquaintances, gangs (*etc.*)? Is there an economic benefit to trafficked youth, such as an exchange for goods or other items?
- descriptions of any efforts by the youth (and others) to prevent them from taking, or being forced to take, this direction;
- insights from youth on what would be helpful to prevent exploitation in the first place, or in any other reoccurrence;
- when/how/if trafficking and sexual exploitation is reported to police; if not, the reasons for not reporting, or under-reporting and,
- to find out, in a broad sense, the current legal and policy context of TIP, and if the issue of trafficking in persons fits within the legal parameters of domestic trafficking in persons – if not, why?

For the Forum, the *First Peoples Group* invited participants from across Canada who work in the areas of federal and provincial government policy, academics, research and Aboriginal representative organizations related to the area of human trafficking. The Director General of the OFI, Allan MacDonald spoke first; the next were Aboriginal experiential presenters – one male and one female – they provided gendered perspectives of human trafficking based on their own life experiences. Other morning presenters were Department of Justice legal official, Matthew Taylor who discussed criminal law responses to TIP, and Public Safety Representative Taunya Goguen who presented on federal government efforts to combat TIP.

The afternoon began with a panel discussion that was moderated by the Honourable Landon Pearson, O.C. The panelists were Dr. Susan McIntyre (The Hindsight Group), Irene Goodwin (Native Women’s Association of Canada), Anette Sikka (University of Ottawa), and Rosalind Currie (Office to Combat Trafficking in Persons, Province of BC). This session was concluded by a “Question and Answer” period that actively involved the audience.

The presenters’ biographies make up Appendix A on page 37 of this report, and their presentation slides are Appendix B on page 39. These are listed in chronological order of speaking.

To provide an opportunity for dialogue and information-sharing, the afternoon included group work that was scheduled for an hour and a half. They addressed the following questions:

1. What role does circumstance play? (*e.g.*, mental health, addictions, poverty)
 - (a) Moving forward, what can we do in this area?
2. How can we make the *protection of victims* more culturally-relevant?
 - (a) Moving forward, what can we do in this area?
3. What strategies or best practices exist and have been known/ shown to work in this area?

(a) Moving forward, what can we do in this area?

The responses from the small groups make up Appendix C on page 67 of this report.

Including speakers, approximately 44 people (see Appendix D on page 72 for a listing of the participants) attended the one-day Forum. The information and agenda for the Forum have been posted at the following website: www.firstpeoplesgroup.com/mnsiurban/resources1.html

The *First Peoples Group* has summarized and written the Forum proceedings that comprise this report.

2. Outputs

In chronological order of speaking, the *Wahkotowin* Forum speakers were Allan MacDonald, Steve Mazur, Catherine Daniels, Taunya Goguen, Matthew Taylor, Susan McIntyre, Irene Goodwin, Anette Sikka and Rosalind Currie.

The panel's moderator was the Honourable Landon Pearson, O.C., a dedicated and long-time advocate for children and their rights and well-being. She served in the Senate of Canada from 1994 to 2005 where she became known as the *Children's Senator* and the *Senator for Children*. At the Forum, Pearson made a very moving comment about many Aboriginal youth not knowing what it feels like to be loved. One participant's comment was that, "This simple and heartbreaking statement probably gets more to the roots of all of the above social problems than anything else which was mentioned at the TIP Forum."³

2.1 Morning Speakers

2.1.1 Allan MacDonald

Allan MacDonald, Director General of the *Office of the Federal Interlocutor for Métis and Non-Status Indians* (OFI), welcomed the group and thanked the audience for participating in discussions on this "very serious and challenging topic". He explained that the gathering was in response to a gap in the knowledge and understanding of Aboriginal peoples' distinct experiences in human trafficking and sexual exploitation. The Forum, he iterated, was to opportune discourse among researchers, academics, Aboriginal community representatives, and government policy practitioners. The exchange was a way of informing, addressing and developing government TIP policy and enhancing the "4 Ps" of the United Nations protocol that addresses human trafficking. The Forum also served as a way by which the "diverse groups of experts could discuss many of these issues and explore culturally-appropriate prevention measures".

MacDonald emphasized the point that the knowledge of the extent and specific characteristics of Aboriginal populations' involvement in human trafficking is limited and that more research is necessary to direct better federal TIP policy-making in this area. He stated that the OFI has been undertaking joint policy work with Public Safety Canada in the 2011-2012 fiscal year to explore the Aboriginal dimension of domestic TIP. He also pointed out that the Forum was part of a project that, using a gendered perspective, was also aimed at improving the understanding of the daily realities of TIP, including the sexual exploitation of Aboriginal people.

2.1.2 Steve Mazur

Steve Mazur, employed at Resource Assistance for Youth (RaY) in Winnipeg, spoke from the perspective of an experiential male involved in TIP. As such, his standpoint was personal and centered on his early childhood, marriage and marriage break-up, "coming out" as a gay male, sexual exploitation on the street, drastic changes in his life (life realizations that saw his leaving the profession of male escort) and eventual self-acceptance of his own identity.

³For a complete biography on the Honourable Landon Pearson and her works, please see <http://www.landonpearson.ca/index.html>

One of Steve's messages was especially strong: denial of one's heritage and ethnic background are not conducive for healthy family functioning and strong inter-familial relationships. Parents must accept themselves for who they are, and teach their children to do the same, or the contributing factors for vulnerability to TIP will play heavily in life's paths. Steve spoke about some of these factors: residential schooling (his mother's – which perpetuated intergenerational stresses onto the children), denial of one's sexual orientation (strongly reinforced by the religion in which he was raised), and his family's non-acceptance of his own personal identity and sexual orientation (resulting in a general lack of emotional and moral support for him).

Steve emphasized that solid spiritual ties, family acceptance and cultural relevance in one's life are strong deterrents to sex trade involvement and vulnerability to TIP. He emphasized the fact that resources are lacking for males to help them exit the sex trade and its related activities. Access to what is available is often poor, too, because communication and knowledge about the risks and dangers of escort life is not readily available to those on the street.

2.1.3 Catherine Daniels

Catherine Daniels, a student at a regional college and part-time employee of the Regina Anti-Gang Services (RAGS), spoke from the perspective of an experiential female who participated in trafficking in persons. Her talk, like that of Steve Mazur, was personal and related to aspects of her own life that contributed very significantly to her involvement in TIP. Over the years, however, she distanced herself from her life of drug dealing, gang activity and trafficking. Catherine, now a mother, is a strong advocate for youth, and encourages them to stay away from street life and, instead, to work at keeping up their schooling and finding their own independence in meaningful and fulfilling ways. She travels to different schools and venues speaking to youth, and encouraging them by telling her own story of resilience, strength and overcoming the past.

Catherine viewed parental addictions (to alcohol, drugs and other substances) as a ready path for children being on their own at very young ages, and involvement with the child welfare system. These factors increase the susceptibility for children finding acceptance and belonging in non-familial activities such as those associated with gangs and TIP. She also discussed other contributing dynamics in her life, and those of her peers: dislocation and disruption of families (such as having on-reserve and off-reserve family members, an absence of fathers in their children's lives) and social services that did little else but "pass me on to the next worker".

Children involved in street life experience very stressful lives. Catherine saw her friends and family members being killed and violated, killing and violating others, suffering from diseases and illnesses which are often exacerbated by substance/ alcohol abuse, in court settings responding to criminal or crime-related activities, at numerous funerals and, overall, leading unhealthy lifestyles that include binge drugging/ drinking for many days on end. She described, very vividly, the daily realities of youth who are set adrift in the sea of crime and organized crime – an environment where exemplary role modeling is rare.

2.1.4 Taunya Goguen

Taunya Goguen, Chief, Serious and Organized Crime Division, Public Safety Canada, gave an 8-slide PowerPoint presentation called "Building a safe and resilient Canada: Federal efforts to combat human trafficking". She began by stating that the extent of TIP is difficult to measure

and that the most common type of TIP in Canada is sexual exploitation. Victims are commonly youth who have been neglected, socially and economically marginalized populations such as Aboriginal women and girls, and new immigrants. In describing federal efforts dealing with TIP, Goguen talked about the 18-member federal *Interdepartmental Working Group on Trafficking in Persons* (IWGTIP) which is co-chaired by the Public Service of Canada and the Department of Justice.

She described the “4-P” approach of the *UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children* that guides Canada’s anti-trafficking efforts. Prevention highlights that she referred to include general awareness campaigns, roundtable discussions, training for labour inspectors, development of plain-language materials and, specifically, funding for the Assembly of Manitoba Chiefs (AMC) to develop an Action Plan for First Nations in Manitoba. In discussing protection highlights, she included short-term resident permits that immigration officers may issue, adhering to the principle that victims’ basic needs and protection are paramount during TIP investigations, and work that enhances the ability of first responders and service providers to identify, assist and protect TIP victims. Prosecution of TIP offenders falls under the *Immigration & Refugee Protection Act* (2002) and the *Criminal Code of Canada* (2005, 2010). Also, the RCMP’s Human Trafficking National Coordination Centre (HTNCC) was established in 2005; training/awareness sessions increased to over 39,000 law enforcement, border and immigration officers, prosecutors, government agencies, NGOs and the general Canadian public. As well, comprehensive policies and procedures for border services officers increased, and an anti-TIP manual with United Nations Office on Drugs and Crime (UNODC) was developed.

In the area of partnerships & knowledge, Goguen identified partnerships between government and NGOs to combat domestic trafficking, a feasibility study for developing a national data collection framework, a 2011 national conference on human trafficking with the Association of Chiefs of Police, and research to assess whether or not TIP increased during the 2010 Olympics. Also identified was funding to combat TIP internationally, funding for NGOs to prevent, protect and rehabilitate TIP victims, and support for the International Labour Organization (ILO) by Human Resources and Skills Development Canada (HRSDC) for a technical assistance project.

Goguen concluded by iterating the Government’s commitment to the development of a National Action Plan that will be released in the near future.

2.1.5 Matthew Taylor

Matthew Taylor is legal counsel in the Criminal Law Policy Section of the Department of Justice Canada. Using a 16-slide PowerPoint presentation, he spoke about TIP in the context of criminal law responses. He stated that TIP is a complex legal issue, that the *Trafficking Protocol* is accepted internationally, and that it is viewed as contemporary slavery. States that adhere to the *Protocol* are required to criminalize TIP and ensure that their legal systems include measures to compensate victims for damages they have suffered.

The Protocol, Taylor said, defines prohibited conduct which is the basis of TIP criminalization. The offense is found in Section 279.01 of the Criminal Code of Canada; its wording is consistent with the *UN Trafficking Protocol* which Canada ratified in 2002. He defined TIP as “the

recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.” He emphasized the 3 key elements of TIP: *a physical act* which is accomplished by *use of means* to *exploit* victims.

He explained that only one of the Act’s elements needs to be proven to have been committed by the accused for prosecution. These are *to recruit, transport, receive, hold, conceal or harbour a person*, or *exercise control* (invasive behaviour which leaves the victim little choice – includes acts of direction and influence), *direction* (imposition of rules or behaviours) or *influence over* (any action with a view to aid, abet or compel) the movements of a person. Section 279.04 of the Criminal Code concerns exploitation in TIP offences. One exploits another if they

- (i) 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,
- (ii) 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.

Proving exploitation, Taylor further explained, is a two-stage process. First, it means proving that the accused intended to cause a person to provide, or offer to provide their labour or services (or knew that they would be). Secondly, it involves proving that the labour or services was provided (or offered) as a result of conduct that, in all the circumstances, could reasonably be expected to cause the person to fear for their safety or someone known to them if they failed to provide that labour or services. The fear of the victim does not need to be proved, but the offence requires evidence to show it would be reasonable for that person, in those circumstances, to fear for their safety. Subsection 279.04(b) provides another way to prove exploitation.

Establishing the elements of a TIP offense is “belief that safety or the safety of a person known to them would be threatened”. Safety in this case means physical, mental, psychological or emotional safety, and “person known to them” could be a family member or friend. Also, “reasonably be expected to cause the other person to believe” means a look to all the circumstances to establish “reasonableness of the belief” and other considerations with respect to the age, gender, and circumstances are also taken into account. The weight of an accused’s prior conduct may be admissible to prove whether victim’s “belief” was reasonable.

Taylor summarized the main offence with four points:

- (i) actual exploitation need not be proven – the actions need only have been committed for the purpose of *exploiting* the victim;

- (ii) the accused does need not have participated in all “stages” of trafficking to be charged with the offence;
- (iii) the consent of the victim is no defence to a TIP charge as Section 279.01(2) is clear that any purported consent is vitiated because of the *exploitative* purpose; and,
- (iv) there is no requirement that the victim was moved across borders or from city-to-city; the offence is about *exploitation*, not movement.

The penalty for TIP offenses was the next area that Taylor articulated. TIP is an indictable offence punishable by life imprisonment (if the accused kidnapped, committed an aggravated assault or aggravated sexual assault, or cause death to, the victim during the commission of the offence), or a maximum penalty of 14 years imprisonment in any other case. Where victims are under 18, there are mandatory minimum penalties (Section 279.011): a 6-year mandatory minimum in cases involving kidnapping, aggravated assault, aggravated sexual assault or death and 5-year mandatory minimum in all other cases. Then, he spoke about *Material Benefit* which is addressed in Section 279.02: Everyone receiving financial or other material benefit, knowing that it results from the commission of a TIP offence is guilty of an indictable offence and liable to imprisonment for a term of not more than ten years. This ruling targets those seeking to profit from TIP but who do not necessarily engage in conduct relating directly to TIP.

Taylor’s next topic area was *Withholding or Destroying Documents*. Addressed in Section 279.03, this states that “Every person who, for the purpose of committing or facilitating an offence under sub-section 279.01(1), conceals, removes, withholds or destroys any travel document that belongs to another person or any document that establishes or purports to establish another person’s identity or immigration status is guilty of an indictable offence and liable to imprisonment for a term of not more than five years, whether or not the document is of Canadian origin or is authentic” [documents may be forged or authentic]. Then, Taylor talked about other Criminal Code offences and TIP. Prior to specific TIP Code and the *Immigration and Refugee Protection Act* (IRPA), TIP was prosecuted through other *Criminal Code* offences. Prosecution can still originate from existing *Criminal Code* provisions, such as kidnapping, extortion, intimidation, assault causing bodily harm or death by criminal negligence, homicide, child abduction, child pornography, and organized crime provisions.

Taylor then informed the group about best practices in dealing with victims and witness. He included using interpreters, dealing with inconsistent and/or multiple statements, establishing trust and good relations with witnesses/victims, developing strategies to strengthen the victim’s credibility as a witness, and otherwise supporting her/his participation during the trial process. He said that when victims are supported through the criminal justice process, there is an increased likelihood that they will support the prosecution. Other practices are making use of victim/witness testimony provisions, such as Sections 486.1(1) and 486.1(2) – presence of a support person; Sections 486.2(1) and 486.2(2) – testimony via closed-circuit television or behind a screen or other device; Section 486.3(2) – a judge may order that the accused may not personally cross-examine the prosecution witness; and, Sections 714.1 to 714.4 – receipt of evidence by means of audio or video technology. Taylor ended his presentation with a slide of his current contact information.

2.2 Afternoon panel presenters

2.2.1 Sue McIntyre

Sue McIntyre, PhD, delivered a 6-slide PowerPoint presentation on studies she conducted: “Youngest Profession, Oldest Oppression” in 1994, and “Strolling Away” in 2004. The latter was a continuation of the first study. In 1994, fifty (50) young men and women were interviewed; of these, 41 were women and 9 were men. Twelve, or 24%, of the 50 were Aboriginal – of these, 3 were women, and 9 were men. In the “Strolling Away” study which was conducted 10 years later, as many as possible of the original 50 were re-interviewed. Thirty-eight interviewees became a part of this latter study; of these, 11, or 29%, were Aboriginal. One significant conclusion was that men enter into prostitution younger and stay longer; mostly, the tendency is to think of prostitution as *female* workers.

McIntyre conducted the study “Under the Radar: The Sexual Exploitation of Young Men – Western Canadian Edition”. In all Western Canada, 157 young men were interviewed and of these 96, or 70%, were Aboriginal; in the Saskatchewan part of the study, a higher rate of 85% were Aboriginal.

She concludes that, prior to being the street,

- 86% had regular customers or Sugar Daddies
- 82% had some addiction and it was part of their work and lifestyle
- 81% had run away from home
- 79% had been subjected to physical abuse
- 70% had been subjected to sexual abuse
- 63% had not completed high-school
- 61% were with child welfare in some way
- 54% were connected to Aboriginal culture
- 54% were involved in self-harm activities
- 54% had been gay-bashed
- 45% were introduced to the work by friend(s)
- 32% introduced themselves to the work
- 16% were introduced to the work by consumer offer
- 7% were introduced to the work by families.

McIntyre concluded her “Under the Radar” research with these words: *This research aims to answer some of those important questions. Hopefully in doing so, we will be better able to assist younger men by providing specialized support services in order to help them live safe, healthy, meaningful lives.*

2.2.2 Irene Goodwin

Irene Goodwin, Director of *Evidence to Action* of the Native Women’s Association of Canada (NWAC) spoke about the Association’s mandate. She acknowledged that while NWAC has not

yet worked on TIP in the Aboriginal women and girls serial collective, it has identified TIP as an issue “already deeply imbedded and normalized in some parts of the country.”

Goodwin’s talk was centered on NWAC’s recommendations for the following seven actions:

1. Educating Canadians on the effects of the destruction by colonization of the Indigenous populations, how Indian policies have shaped the lives of Aboriginal people today, and that TIP is an outcome of those policies.
2. Addressing the factors that affect Aboriginal communities’ general lack of acknowledging TIP and the sexual exploitation of young girls and women – factors such as: poverty, limited resources, lack of education, lack of understanding that goods and resources traded for sexual favours is exploitation, and fear within the community of outside involvement.
3. Familial-based trafficking – including the role of poverty and intergenerational/ cyclical trauma from residential school experiences and other aspects of colonization.
4. Human trafficking triangles: little is known about these operations in the lives of the women and girls within them.
5. In relation to missing and murdered Aboriginal women and girls, linkages to human trafficking need to be examined.
6. Gender-based analysis is important, keeping in mind that all solutions and actions must also be culturally-relevant.
7. NWAC strongly supports the idea of a National Children’s Commissioner, who would ideally be an Aboriginal person.

Goodwin concluded by reiterating the importance of conducting more research into the area of Aboriginal girls and women in TIP activities.

2.2.3 Anette Sikka

Anette Sikka, a lawyer and a doctoral candidate at the Faculty of Law, University of Ottawa, discussed many questions that can reasonably be asked about the definitions of trafficking, and the prosecution of trafficking offenses. One such question was whether or not, in her opinion, Aboriginal girls are trafficked in Canada, according to Canadian law. Specifically, the question was: In the circumstances of Aboriginal women and girls being exploited and involved in the sex trade – is this trafficking? If so, what parts are specifically “trafficking?” What aspects are not considered to be “trafficking?” While there is copious evidence that Aboriginal women and girls are under the control, direction, and coercion of others in the context of the sex trade, questions still remain. Does the girl/ woman who does not fit squarely into the model of coercion deserve less protection because she has gotten herself into this situation? Should she be blamed for that, or can we also count the circumstances in which she grew up as a push towards a particular type of friends, or lifestyle? It is clear that where girls are drugged, lured or physically hurt, where

they are afraid not to be involved in the sex trade because of what the consequences would be – this is definitely trafficking.

Sikka also spoke about the problem of labels, and the words associated with those labels. The word “trafficking” is a label, created by legislation which is specifically worded. States (which have created that legislation) try to squeeze very terrible actions, everything they can, into what is called “trafficking” so these activities and their prosecution can get the attention they deserve. Trafficking, after all, is the “big thing” at international conferences, an attention-grabbing news item for the press. The label of “trafficking”, however, covers so many things and is so diffuse – *eg.*, exploited migrant workers, arranged marriages, domestic workers, foreign sex workers, and sexually exploited youth, that the emphasis on “trafficking” distracts from other infringements which can be “just as important” and, indeed, practically the same as “trafficking”.

Many victims are forgotten because the importance of trafficking draws funding into anti-trafficking programming, and the crimes against these persons were not labeled as “trafficking.” Sometimes persons’ activities can be an arbitrary decision as to who is “trafficking” or “being trafficked”. The answer is not to try to squeeze what is happening into arbitrary definitions; there are tools already in place to stop criminal activity in this area and prosecute those who are offending in various ways. Police across the country have tools in their arsenal – the *Criminal Code* and in the *Immigration and Refugee Protection Act* that address these various offenses.

Prosecutors tend to move on the most obvious cases – these are the “sympathy cases,” such as those involving children. Sikka posed the question as to whether or not children are “more exploited” than, say, some women or some girls, and how is this determined? Proving the elements of trafficking in court have been so difficult; only the clearest of cases ever make it to prosecution. In the case where Pickton preyed on (mostly Aboriginal) sex workers– this was not trafficking because he did not exploit them into performing a service. Just because this did not fit the definition of “trafficking” should not matter, however. Heinous crimes such as these should be addressed. Further, Sikka observed, the root causes that allowed for the Pickton murders are similar to the root causes allowing for “trafficking” to happen. They are more similar than the root causes and consequences, for example, migrant workers being trafficked.

Coerced sexual exploitation, too, is being addressed in the same vein as exploitative labour from Mexico – this becomes unworkable because the reasons why migrant workers from Mexico work under terribly exploitative circumstances in the fields of Ontario and British Columbia are different from why Aboriginal women end up in exploitative sex work. Remedies for these circumstances are also different. But, on a pragmatic level, we need separate approaches and separate programs to stop these different kinds of “trafficking” from occurring.

Data collection is difficult because it is unclear if victims are coming forward, or are they too afraid to come forward? These type of research questions then become, “Who gets counted? By which criteria is one counted?” Sikka concluded her presentation with these words: *My research shows that all this focus on “trafficking” has actually diverted attention away from the complexities of different crimes against Aboriginal women and girls.*

2.2.4 Rosalind Currie

Rosalind Currie, Director, Office to Combat Trafficking in Persons (OCTIP), Government of BC, Ministry of Justice, spoke using a 16-slide PowerPoint presentation. Using definitions and examples, she introduced the area of global human trafficking, and then discussed Canada's and BC's responses to TIP.

Currie spoke about OCTIP: it began in 2007 and is unique in Canada. The Office reports to the *BC Ministry of Justice* and also receives funding from the *Ministry of Children and Families Development*. It is a permanent response to trafficking situations in the province, and has locations in both Victoria and Vancouver. OCTIP's current efforts are awareness-raising and education; capacity-building with a focus on prevention; a free on-line training course at www.pssg.gov.bc.ca/octip/training.htm; and, protocol development among key anti-TIP partners.

OCTIP's mandate is to develop and coordinate BC's response to TIP; to build a network of response services for trafficked persons; to work with local communities on prevention efforts; and, to contribute to national and international efforts to prevent/ eliminate human trafficking. Its Service Coordination Model utilizes a human rights approach in that it considers the needs of trafficked persons. These may be emergency health/ dental care, housing, counseling and support, translation and interpretation, legal counsel – all these are with a cultural component, as required.

Next Currie discussed domestic trafficking as is movement of individuals within or between provincial/ territorial boundaries. She noted that there are recognized inter-city circuits, primarily for sexual exploitation, and that Aboriginal women and girls are identified as having unique vulnerabilities to this type of trafficking. More research is needed, however, to derive definite conclusions about this perception. OCTIP, like some Aboriginal communities, applies a trafficking perspective to the issues of violence and exploitation in those communities, as well as to anti-TIP efforts that address trafficking within Aboriginal populations. For example, distinctive vulnerabilities of Aboriginal girls/ women include the effects of colonization, racism, and residential schools; exposure to physical and sexualized violence as minors; disrupted family structures; poor public transportation; poverty; and, gender inequality. From 14% to 90% of all prostituted women are Aboriginal girls; over 60% of prostitutes in Vancouver alone are Aboriginal (Totten, 2006). The seriousness of this situation is reflected in the words of a Musque'um Elder: *Silence...is killing our communities*.⁴

Youth recruitment strategies were the next TIP topic that Currie addressed. She talked about traffickers' interaction in the school yard and playgrounds and on the way to and from school; through Internet's social networking – such as Facebook and Twitter; luring and grooming by a “boyfriend”; offers of drugs, gifts such as cellphones, hoodies, other clothing; and, from other girls who are in some way already involved in trafficking.

OCTIP has been working on a community capacity-building model: this was with a small town with 15 bands from 3 First Nations in the north central region of the province. The town has a high crime rate, especially among youth. A local community-based human trafficking committee was formed, and, in 2010, OCTIP made a presentation at a local event. From follow-up activity

⁴The connection between the high rates of prostitution to this statement is that there is very little discussion (including research) on Aboriginal populations and TIP.

in that year, a human trafficking case emerged that is now under investigation. The committee and OCTIP also jointly developed a “train-the-trainer” model to be implemented in the community for the 2012/ 2013 year. It will be made available for replication in other First Nations communities.

OCTIP also made an interactive presentation on luring/ grooming and human trafficking at “Gathering our Voices”, a provincial Aboriginal youth conference. The conference, for 15- 24 year olds, was attended by 1,000 youth from Vancouver, Prince Rupert and Nanaimo. A community partner was *Children of the Street*, and was hosted by the BC Association of Aboriginal Friendship Societies. Also of significance is that Aboriginal teachers are in a strategic partnership in prevention/ protection of Aboriginal youth; members include the BC Teachers Federation (BCTF), the Executive/ Ministry of Education, the BCTF Social Justice Committee/ Aboriginal Education. In the planning stages is a teachers conference and a joint project bringing together Aboriginal teachers in north central BC on domestic human trafficking.

Currie’s presentation concluded with information about OCTIP’s on-line training. Rose Henry, an Elder community member gave input into the course which includes a case study of an Aboriginal girl. The design is West Coast Aboriginal, and the Advisory Committee which guided the course development was made up of Aboriginal community members, the Ministry of Aboriginal Relations and Reconciliation (MARR), and Aboriginal staff and consultants. Currie included two testimonials from Aboriginal service providers in the province regarding the OCTIP online training. The first was: “*Easy to use and easy to read format. The language was basic and the case studies very helpful.*” The next was: “*I liked learning about the issue through story. I will share this site with my colleagues.*” Also produced with Aboriginal people’s participation was an Information Sheet called “Working Effectively with Aboriginal People.”

2.3 Group work

In the last afternoon session, Forum participants, in groups, responded to the following 6 questions:

1. What role does circumstance play? (*e.g.*, mental health, addictions, poverty)
 - (a) Moving forward, what can we do in this area?
2. How can we make the *protection of victims* more culturally-relevant?
 - (a) Moving forward, what can we do in this area?
3. What strategies or best practices exist and have been known/ shown to work in this area?
 - (a) Moving forward, what can we do in this area?

A summary of each question is described herein:

1. What role does circumstance play? (*eg.*, mental health, addictions, poverty)
According to the participants, circumstances played a large role in TIP; one respondent said it was the “primary role”. Another said that “circumstance *is* the driving factor and for Aboriginal people, the circumstance is intergenerational trauma”. Key concepts that were specifically

mentioned were: family disconnection, addictions, poverty, naivety, the social determinants of health, class, the socio-economic status of vulnerable populations [poverty], and mental health. Specific circumstances that were listed included: **family disconnection**, children in care (involvement with child welfare), **addictions** (of parent/s, other caregivers and/or self), **poverty**, unstable homes (moving around a lot, or “no fixed address”), poor education, and family violence that often results in trauma and abuse to entire households. Added to that is **naivety** (the lack of life experience) of young people and lack of strong guidance in many youths’ lives. Other factors are the power of manipulation and who holds the power to manipulate, a longing for acceptance, ready access to social networking by which traffickers prey on boys and girls, and boredom that is often alleviated by “hanging out” at shopping malls – these increase youths’ vulnerability to TIP recruiters.

Those working in anti-trafficking efforts must examine the **social determinants of health, class** issues and the **socio-economic status of vulnerable populations** to understand how circumstances impact on individual and groups’ lives. The relationship between communities and institutions creates some of these negative circumstances, and in the case of addictions and **mental health**, enough beds in enough facilities would foster health and well-being and individuals would not be so susceptible to TIP. When individuals, families, and communities do not experience issues in any of these areas, sexual exploitation and human trafficking is not a reality.

1 (a) Moving forward, what can we do in this area?

Responses to this fall into four general areas: education, programs and services (participants identified both specific and generic programs), strategies and other agencies. Key concepts are colonialism, clinical support, gender-based analysis, profiles and characteristics of traffickers, mental health, partnerships and poverty.

Education:

For Aboriginal people, the understanding of **colonialism**, its different mechanisms and how it contributes so significantly to family and societal destruction is very important. Also, the general Canadian public does not understand colonialism and its intergenerational impacts, so these subject areas should be in all provincial/ territorial curricula. Asking “why” means getting at the root causes of TIP among Aboriginal people, and is essential for an understanding of human trafficking in Canada.

Services and programs:

Some helpful programs are VictimLink BC⁵ and others through the Salvation Army—such as Deborah’s Gate Program⁶. Also, what is needed is an immediate first-response system, and safe houses to ensure that **clinical support** is always available to TIP victims. Victims must be taught how to separate themselves safely from the influence of traffickers; they need multiple supports

⁵From its website at <http://www.victimlinkbc.ca/>, VictimLink BC is described as “a toll-free, confidential, multilingual telephone service available across BC and Yukon 24 hours a day, 7 days a week at 1-800-563-0808. It provides information and referral services to all victims of crime and immediate crisis support to victims of family and sexual violence.”

⁶This is “A place of rescue and hope for victims of human trafficking”; see <http://www.deborahsgate.ca/>

in locations they frequent, such as outreach in malls. This can help victims access services more readily.

Also, using **gender-based analysis**, inventories are needed to scan the existing services and programs to transition youth from trafficking situations into safe environments – this will also help identify services gaps. Other risk factors need to be explored, including the **profiles and characteristics of traffickers** (master manipulation, *etc.*) The emotional and **mental health** of trafficked youth must be considered to determine such things as possible multiple personalities and mental disorders as a cause of behavioral problems that lead to vulnerability to traffickers.

Strategies:

Identified strategies include long-term innovative rehabilitation that utilizes funding **partnerships** with NGOs and government departments. Jurisdictional discrepancies between the provinces/ territories and the federal government must be resolved to help establish and maintain protocol for children that move or are moved inter-provincially/territorially. **Poverty** needs to be dealt with since it is one of the main outcrops of colonialism. The sense of belonging, acceptance and being needed and appreciated must be improved for youth since in many instances, there are strong feelings of inadequacy because of the poverty-related circumstances in their lives.

Other agencies:

TIP among youth is also a child protection issue, so child welfare must become aware that children in care are targeted by traffickers; they must become involved to lessen all disadvantages to which children in care are subjected. The RCMP has a significant role in combatting TIP, and all agencies must ensure the availability of toolkits for vulnerable groups and individuals.

2. How can we make *the protection of victims* more culturally-relevant?

The answers to this question fell into three categories: education; community/ community leadership, and services and programs. Most implied or outright stated that cultural relevance is a role for the Aboriginal community and leadership. Key concepts were: educating Aboriginal children about their traditions and cultures, the language of the community, impact of culture knowledge and adherence on healing, capacity-building, Elders, partnerships and Aboriginal staff.

Education:

To foster self-pride in a wholesome healthy way, it is essential to **educate Aboriginal children about their traditions and cultures**. Educate youth about pre-Contact societies – how they functioned, and make teachings relevant and interesting to youth-at-risk (who are potential TIP victims). Aboriginal organizations, such as Friendship Centers or women’s shelters, can take a lead in educating and teaching about the hazards of TIP to individuals or groups accessing their services.

Community/ community leadership:

The lead for this must be taken by community leaders themselves; they must use **the language of their community** to address issues in defining TIP, and formulating anti-TIP policy. Solutions must avoid victim-blaming and, instead, be based on a strong understanding of the **impact of culture knowledge and adherence on healing**.

Aboriginal community leaders must **partner** with outside agencies, as necessary. They, along with NGOs, PTOs, grassroots members and experiential speakers need to become meaningfully involved in constructing and delivering anti-trafficking services. Involving young people in as many activities as possible (such as in helping out with “behind-the-scene” chores in preparing for an event or occasion) will help them feel needed and foster a community spirit that includes the youth.

Programs and services:

Incorporate cultural expression into services and programs. As well, to facilitate **capacity-building**, community services staff need to be trained on how to do this. Also, in providing culturally-relevant activities, access **Elders**, and utilize their services. Be sure to include offerings from individuals who are knowledgeable about the historical context of the issues under discussion (*eg.*, human trafficking, sexual exploitation).

There is a need for more Aboriginal victim services and more **Aboriginal staff**. Ensure the protection of victims and workers during program delivery and as services are being accessed.⁷

2 (a) Moving forward, what can we do in this area?

Participants’ answers are categorized into three main groups: education, programs and services, and partnerships. Key concepts were: making school more attractive and relevant to Aboriginal students, history, research to fill in data gaps, translation services, Elders, innovative programs and support services, coalition-building consultative approaches and more Aboriginal people in TIP authority positions.

Education:

A federal directive is needed to initiate systemic changes in schools (to **make school more attractive and relevant to Aboriginal students**). To further relate to youth, utilize social networking (which, in most cases, they are already familiar with) – such as Skype, Facebook, Twitter and YouTube.

For service-providers, they must realize what their **history** is and who they represent (*eg.*, Cindy Blackstock’s model of truth-telling).⁸ This information could be extended to sessions on Aboriginal culture that are offered to stakeholders (*eg.*, judges, policy and social services agency workers). To further relate to students/ stakeholders, more **research is needed to fill in data gaps** relative to TIP (*eg.*, to know what already exists for TIP-related services and programs for Aboriginal victims, the nature of TIP in Aboriginal communities).

⁷This last submission/ sentence appears not to be a response to the question, but rather a suggestion or observation.

⁸Dr. Blackstock identifies *Truth-Telling* as one of four phases reconciliation. See http://reconciliationmovement.org/docs/Touchstones_of_Hope.pdf

Programs and Services:

More victim services must be made available in isolated communities. **Translation services** are needed, mostly for the **Elders** (as keepers of the culture) who are teaching the younger generations— this will help Elders and youth come together. Funding spiritual Elders and cultural workers as contract workers instead of permanent employees will help expand youths' understanding of their own cultural identities and place in their own societies.

Innovation in creating anti-TIP programs and support services should be encouraged. Provide services in malls and other areas where youth tend to congregate and feel comfortable. Recognize that many Aboriginal youth feel alienated in approaching non-Aboriginal organizations that are a point-of-contact. Help them feel included and welcome. Engage and train non-Aboriginal service providers on how to accomplish this.

Partnerships:

Foster a team environment and use a team approach – do not work in isolation. Also, all anti-TIP partners need to use **coalition-building consultative approaches**. Service providers should know all their allies – it furthers sharing of the responsibilities, such as to non-Aboriginal people for educating their counterparts.

More **Aboriginal people need to be in positions of authority** – particularly in the areas that relate directly to TIP.

3. What strategies or best practices exist and have been known/ shown to work in this area?

Responses fell into four broad categories, although there was sometimes an overlap among these: awareness-raising, education, cultural/ community identity, and strong leadership/ strategizing. Key concepts that emerged were: addressing perceptions of youth, how to keep safe, connect to land and nature, watching out for TIP recruitment strategies, strong sex education, programs for people on the street, experiential men and women, a National Anti-Trafficking Day, promoting a sense of community and culture, willing to take the next steps and fostering partnerships.

Awareness-raising:

A group member identified some **perceptions of youth** that need changing through awareness-raising activities. Many, for example, understand that prostitution and abuse is normal. These assessments should be addressed in ways that youth can relate to – chiefs could take part in awareness-raising campaigns on what sexual exploitation is, and the details of typical daily lives of trafficked individuals. Establishing programs like the *Regina Anti-Gang Services* (RAGS) for youth who want to leave trafficking situations would help them comprehend what it takes to leave (eg., what to expect from “friends” and **how to keep safe** when leaving), and direct them to resources they need to separate themselves from gang/ trafficking/ trafficked lifestyles.

Education:

Participants identified an Assembly of Manitoba Chiefs (AMC) program called “Pathways to Hope”⁹ that involves being out on the land so youth can **connect to the land and nature**, and start building protective factors in their lives. After completing the program, if youth are approached by those involved in street life, including traffickers, they are knowledgeable enough about life and life values that they can say “No” to offerings of coveted goods, or to an “easy way of making money”. This program provides discourse about how TIP works, and how to **watch out for its recruitment strategies**.

Promote **strong sex education** by young people, for young people “as per the AFN films”. These are the Assembly of First Nations National Youth Council – Sexual Health Video series. For more detailed information, please see <http://www.afn.ca/index.php/en/policy-areas/health-and-social-secretariat/resources-updates/afn-national-youth-council-sexual-health-video-series>. Also needed are **programs to work with people on the street** that include counseling, group nights, movie nights, drug addiction supports, bad date sheets, and regular updates on missing women. **Experiential men and women** in the area can voice their narratives in these and other arenas, such as in outreach activities. This would provide them with means by which to share their experiences publically – they need a voice and are a powerful example to youth of what can happen to those involved in trafficking.

Proclaiming a national and provincial *Anti-Human Trafficking Day* would be very helpful as part of awareness-raising about the perils of TIP, and how youth can avoid gang and/ or trafficking recruitment.

Cultural/ community identity:

Promoting a sense of community and culture wherever possible is very valuable. This can partially be accomplished through programs for youth-at-risk at Friendship Centres and other community venues. Youth can be taught how to connect with the community and their culture through art (eg., hip-hop, other types of dance, work outs, and anything that builds their strength and confidence, and educates while entertaining).

Strong leadership/ strategizing:

Strong leadership is necessary, a participant said – “someone must be **willing to take the next step**”.

There is power in establishing and implementing strategies. This includes the **fostering of partnerships** with communities for national/ provincial-level funding for all provinces/territories, such as BC’s *Office to Combat Trafficking in Persons* (OCTIP). Another vital facet of a multi-agency national strategy is one that includes the ongoing involvement and collaboration of Aboriginal people. Services can help victims realize the need for removing themselves from exploitative environments and support them in finding constructive networks, new

⁹This program was originally developed in Native communities in Alaska; it is deemed a highly successful program that raises awareness about human trafficking and sexual exploitation. AMC’s program has a strong training component for First Nations in Manitoba to deliver the program. This training is essential for front-line workers who deal with cases of exploitation but may not know how to help the victims.

friends, new spaces and different locations to live. Create positions as Special Advisors on Aboriginal women (as in Manitoba and British Columbia) in all provinces/territories.

3 (a) Moving forward, what can we do in this area?

Responses were in three areas: education, programs and services, and targeting the traffickers. Specific mention was of youth needing to be honoured; early education on TIP and life-skills are needed for children, especially those in care; parents as teachers/ being taught; no “Pan-Indian” approaches in programming; need for gendered frames of reference; more anti-gang programs/ services are needed nationally, and more focus on human traffickers, their profits and manoeuvres instead of on victims.

Education:

Youth need to be included, educated and honoured – using means and methods that encourage self-drive and autonomy. For children, **early education must include the area of TIP** and sexual exploitation, and how boys and girls are approached by recruiters. Education for **parents** must be encouraged; they must be taught how to speak to their children about TIP and TIP prevention.

Programs and services:

In the design phases of anti-human trafficking programs, target approaches to specific populations. There is no “one size fits all” – so there can be **no “Pan-Indian” approaches** – and include **gendered approaches**. On-going support services that include the development of **life skills for children in care** must be a part of child welfare services. Drop-in centers that are open “24/7” for Aboriginal women and children, and services/support for men, boys and gangs must be established and made available and easily accessible. Formulate, on a national basis, an organization equivalent to the Regina **Anti-Gang Services** (RAGS).

Targeting the traffickers:

Identify specifically how human traffickers profit (the business part), and block those ways. This trail will, as well, provide evidence for courts and further a deeper understanding of the business side of TIP. There must be **focus on the crime and the perpetrator** – not only on the victim because, too often, the victim is named and faced, but the perpetrator is nameless and un-faced – he/she is protected from the public while the victim is not.

3. Conclusion

3.1 Speakers: TIP policy-making

Director General MacDonald articulated the Forum's overall purpose: in addressing a research gap in the knowledge and understanding of Aboriginal people's experiences in trafficking and sexual exploitation, the Forum brought together federal departments, provincial organizations, Aboriginal community representatives, policy practitioners, academics, and researchers to exchange knowledge and inform federal policy on TIP as it relates to Aboriginal populations. Several morning speakers provided the Forum's context. First, Goguen (Public Service Canada) presented federal efforts to combat human trafficking. She made two references to Aboriginal people: that Aboriginal women and girls are one of the most at-risk groups for traffickers, and that funding from Public Service Canada was made available to the Assembly of Manitoba Chiefs for an Action Plan to address TIP in the First Nations of that province. Next, Taylor (Department of Justice Canada) spoke on the federal government's criminal law responses to TIP but there was no reference to Aboriginal people in his presentation.

The male and female experiential speakers, Mazur and Daniels, clearly articulated their own life realities that brought them into TIP and sexual exploitation on the street. Their presentations provided definite and epigrammatic insight into the direction in which federal TIP policy must steer. Their main message, for example, was that strong, well-functioning families that demonstrate responsibility towards children are core to anti-TIP involvement among youth. An obvious correlation is that systems of programs and services that strengthen and support families are paramount to long-term anti-trafficking approaches for Aboriginal people. Daniels' talk was also especially insightful in that her life demonstrated the intergenerational aspect of trafficking: the trafficked can become the trafficker. Her life circumstances which were characterized by a lack of family cohesiveness and support led her into gangs who trafficked her; she then, in turn, recruited and conducted business for them.

The prevailing elements that both Mazur and Daniels spoke about in their lives (parental addictions, absentee fathers, life in foster homes, unhealthy teen relationships [*eg.*, "hanging out with older guys"], petty crime, serious criminal activity, denial of sexual orientation, rejection of identity, drug dealing, *etc.*) can be circumvented if care, love and support are characteristic of family members in their relationships with one another. Society, however, is not well-equipped to show families how to be caring, loving and supportive, especially to groups that endure additional stresses such as racism, discrimination, poverty, marginalization, poor health and education, misogyny and classism. Government policy may do well to encourage the characteristics of strong families as essential program and service elements.

McIntyre, the first afternoon panel presenter, discussed her research on male prostitution which included trafficking and sexual exploitation¹⁰. She de-bunked a common perception of prostitution being a female occupation and identified the area of male prostitution as it relates to TIP and sexual exploitation as needing more research since little is known about it,

¹⁰For trafficking, "control over another person, for the purpose of exploitation . . . shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation" See Slide 3, Matthew Taylor's presentation on "Trafficking in Persons: Criminal Law Responses", pg. 46 of this report.

comparatively. A significant percentage of McIntyre's research subjects/ participants were Aboriginal youth who had been suffering from many of life disadvantages: sexual/ physical abuse as youngsters, connection with child welfare, poor education, addictions, had been runaways and gay-bashed, involved in self-harm and introduced to prostitution in different ways through several types of relationships (eg., familial, friends, consumer offer). McIntyre's presentation of her research efforts provided some clarity on the life realities of many Aboriginal male prostitutes.

Goodwin, representing the Native Women's Association of Canada (NWAC), spoke about Aboriginal women and girls. She emphasized the importance of knowing how colonial policies have led to the susceptibility of Aboriginal women and girls to trafficking and sexual exploitation. Also discussed were the lack of knowledge about familial-based trafficking, human trafficking triangles, linkages of missing murdered Aboriginal women to human trafficking, and the general lack of research into TIP and Aboriginal populations – which most other speakers also articulated. Goodwin saw the need of gender-based analysis in all research of this type. Federal policy-making must therefore be directed at teaching about colonialism as it specifically relates to the subjugation of Native women, and initiating in-depth research on how the resulting dynamics continue to influence trafficking in Aboriginal populations.

Another panel speaker, Sikka, a lawyer and PhD candidate, questioned the relevance of certain legal terms regarding TIP – those that allow a diversion away from the complexities of crimes committed against Aboriginal women and girls. She also drew attention to the difficulties of procuring data because of the weakness or lack of established criteria by which victims become part of data collection. She then questioned whether or not some groups are seen by Canadian law as “more important” than others by way of TIP law wordage. Sikka's entire presentation was based on Aboriginal populations and their differences and/ or similarities regarding the law to other groups being trafficked. Her talk emphasized that federal law- and policy-makers must be clear about the language of legislation and have a thorough understanding of the implications that legal language and expression can have on the *status quo* of Aboriginal people. Only a high level of consciousness and in-depth scrutiny in law- and policy-making can ensure that adequate legal attention is paid to crimes committed against Aboriginal people, particularly women and children.

The final panel presenter, Currie, spoke about British Columbia's responses to TIP, many of which pertain to Aboriginal populations. The *Office to Combat Trafficking in Persons* (OCTIP) is involved in awareness-raising among Aboriginal youth, training and capacity-building in some isolated First Nations in the province. She also discussed the specific vulnerabilities that facilitate the tie between Aboriginal girls/ youth/ women and trafficking: colonialism, racism, residential school experiences (of oneself, parents and/or grandparents), poor access to transportation, gender inequality, poverty, and physical and sexual violations as children and youth. Currie's talk linked future federal TIP policy-making to dealing with these vulnerabilities, and lessening their impacts.

Policy Development: All presentations concluded or clearly implied that TIP policies must reflect the realities of Aboriginal people. Many were presented by the experiential speakers who spoke about how circumstances propelled the way their own lives unfolded. However, glimpses

into these realities were not as forthcoming from other Forum speakers except perhaps in oblique ways; there was, for example, no presentation on TIP from Aboriginal ex-traffickers themselves on how they conducted their businesses, and the societal mechanisms that allowed for their operations. One can imagine how difficult it would have been, though, to find a person willing to discuss such a matter, particularly considering the context of the Forum and the audience that it attracted. Also missing was an Aboriginal component to the talk on *Criminal Law Responses to Trafficking* – a hypothetical case study could have been added to bring together a realistic Aboriginal trafficking experience and Canadian law transgression.

The following is a summation of the commonalities of dominant themes that the speakers identified as being important for strong TIP policy formulation for Aboriginal populations:

- Recognizing and acknowledging Aboriginal populations' realities in historic, political, social, and economic contexts and relating these to policy-making.
- More research on the following, since the nature of TIP is hidden and much about it is undiscovered and unknown, specifically as it relates to Aboriginal people and/ or youth:
 - the affiliation between missing murdered women and girls to TIP;
 - identifying the specific vulnerabilities that facilitate youths' inducement/ recruitment/ enticement into trafficking;
 - the gendered aspects (similarities, differences, common perceptions, fallacies) of TIP dynamics; the most common emphasis and knowledge of TIP relates to women and girls in the context of prostitution or sexual exploitation; one of the least-known dynamics of TIP relates to boys and men;
 - inner-city and inter-city (large urban centres) as circuits for sexual exploitation rings;
 - familial-based trafficking (including the role that poverty and intergenerational trauma play in this), and trafficking by intimate partners;
 - human trafficking triangles; and,
 - data collection that is appropriate and respectful – this is also according to Piper (2005) who observes that research in TIP is fragmented, and “despite its high and growing profile, statistical data and precise figures do not exist” (p. 205); also, much TIP research has been conducted with limited resources and within a fairly short time-frame; Laczko (2005) confirms that longitudinal studies are sparse.
- Educating both non-Aboriginal and Aboriginal people on the following:

- the intricate and overlapping impacts of colonization on Aboriginal peoples, specifically as resultant family breakdown leads to human trafficking and sexual exploitation;
- TIP as an outcome of federal Indian policy;
- the impacts of legislative wordage and terminology on crimes committed against Aboriginal women and children, and the changes that could be made for further prosecuting traffickers of Aboriginal women and children; and,
- addressing all types of human trafficking (among different populations, for different purposes, requiring different remedies).

These commonalities were seen by the the Forum participants as foundational to the federal government's plans, positions and guidelines in developing both broad and specific policies for Aboriginal populations in the context of human trafficking and sexual exploitation.

3.2 Group work: TIP policy-making

Through group work, the Forum also facilitated knowledge exchange and transmission on the human trafficking and sexual exploitation of Aboriginal people. These efforts included input from all individual and panel speakers, experiential presenters and the audience at large.

The three main questions are summarized separately, as is each sub-question:

1. What role does circumstance play? (*eg.*, mental health, addictions, poverty)

All groups acknowledged that circumstances play a significant role. Then, specific circumstances were identified: lack of family unity (disconnection, poor communication, violence); children guided by poor or lack of parenting skills (sense of responsibility towards one's children needs to taught, and vastly improved); youthful naivety; involvement with child welfare agencies; one's own (or parents', other caregiver's) addictions; housing instability; reduced health; inadequate education; social dislocation; gender inequality; deteriorated mental health (inadequate mental health services and facilities); and reaction to/ outcomes of physical and sexual abuse as children.

The participants concluded that addressing these in the context of trafficking and sexual exploitation should be an underlying principle for developing federal anti-trafficking policy for Aboriginal populations.

- 1 (a) Moving forward, what can we do in this area?

Responses to this question fell into four categories: *education, programs and services, strategies* and *other agencies*. Policies must aim at improving the accessibility to education, programs and services, the formulation of timely strategies and increasing the anti-TIP components of other agencies such as the RCMP and child welfare organizations.

Education: Knowing about the colonization of Aboriginal peoples was seen as important and as a way of finding the root causes of TIP in these populations. Addressing these causes is vital to deriving parallel solutions – instead of always trying to deal with the issue’s spin-off effects. A good education reduces the enticement to participate in TIP for “easy money”.

Programs and services: These are essential as responses to TIP, particularly as they relate to increasing the safety victims, families and other loved ones. The range of programs and services needed is great: housing and shelter, translation and interpretation, counseling and other types of support, legal consultation services and health/ dental maintenance.

Strategies: Innovative and relevant partnerships with strategies that are well thought-out among governments and NGOs were seen as ideal for dealing with poverty and other life circumstances that foster participation in TIP and sexual exploitation.

Other agencies: Funding and other types of resources are needed for agencies that work at eradicating or lessening the effects of the life circumstances that foster TIP activities. These agencies include those that offer teaching on strong parenting, child welfare, family communications, healing and other related programs.

2. How can we make the protection of victims more culturally-relevant?

Education was the most dominant response to this question. Specifically, participants observed, First Nations education systems must teach children and youth about their own pre-Contact societies and how these societies came to be in the state they are today – promoting understanding of the historical context of the *status quo* as culturally marginalized nations. Such teachings can enable students (and teachers) to see themselves in a much more positive light, recognize their cultural uniqueness as individuals and nations and contribute to their positive identity formation as Aboriginal people. The next most common response was *community involvement and leadership*; this response included the integration of cultural knowledge into all community events and healing practices. *Services and programs* was the next category of responses: this means involving the Elders for cultural expression in more services and programs, and capacity-building among Aboriginal people to increase these types of offerings.

2 (a) Moving forward, what can we do in this area?

Responses to the second question were categorized into *education, programs and services* and *partnerships*. Policies should be developed to expand these areas as they relate to anti-TIP concepts.

Education: Policies must promote education, among both Aboriginal and non-Aboriginal populations, of colonialism to expose the realities under which Aboriginal peoples live. In contemporary times, colonialism’s effects “go from being a set of imposed externalities to becoming causes of harm to them as people and as communities, limitations placed on their freedom, and disturbing mentalities, psychologies, and behaviours (Alfred, 2009, p. 43). Group work participants mentioned the intergenerational harms and trauma that make up Aboriginal people’s realities, and that these must be addressed through formal (*eg.*, provincial/ territorial

curricula) and informal means (*eg.*, community-based offerings, through Elders' teachings, using social media). Included in education is the glaring need for more research, including gender-based research on TIP and sexual exploitation of Aboriginal people – youth, boys, girls, men and women.

Programs and services: The loss of cultural teachings has had a catastrophic impact on Aboriginal community life, social structures and governance. Revitalizing/ reclaiming these facilitate the healing and health of the community and address serious social concerns such as TIP and sexual exploitation.

Partnerships: One of the “4 Ps” of the UN *Convention against Transnational Organized Crime* (TOC), partnership-building helps different agencies share their anti-TIP efforts and responsibilities. This is especially relevant in the present times of fiscal restraint.

3. What strategies or best practices exist and have been known/ shown to work in this area?

Awareness-raising was the most common answer to this question. It was frequently expressed in terms of youths' common perceptions that need to be addressed – views that perpetuate abuse and sexual exploitation as being normal, for example. Also, youth need to be aware of traffickers' recruitment or initiation practices, and those already in trafficking should become aware of how to leave their situations safely. *Education* was also seen as a best practice. This was verbalized in terms of offering strong sex education to youth, teachings on building resilience (such as “Pathways to Hope”), learning from those who left street life and/ or trafficking (recruiting experiential speakers to teach youth in schools and other venues) and programs for those on the street (such as counseling, movie nights, networking, keeping safe). *Cultural/ community identity* was also seen as a best practice in that it was emphasized as important for a people's sense of self, relating constructively to others, and furthering collective uniqueness – all this contributes to well-being, group belonging, being needed and for personal and communal security. The final category of best practices that was discussed was of *strong leadership/ strategizing* with specific mention of the effectiveness of partnerships. Strategies can enhance the developing and timeliness of anti-TIP activities, and substantiate their goals. Events and activities that support specific cultural strategies were seen as vital as best practices.

3 (a) Moving forward, what can we do in this area?

Responses were categorized into these areas: *education, programs and services, targeting the traffickers*. Policies can be based on best practices once they have been identified.

Education: Life-skills training is increasingly recognized as a key prevention for countering the vulnerability that add to high-risk behavior among youth. Other educational offerings should be for improving self-esteem, social competency, emotional maturity and academic development.

Programs and services: Targeting TIP victims, these should be available and easily accessible to those who requiring help in this area. The range of supports include clinical health services, culturally-compatible and gendered approaches to interventions, program delivery by

knowledgeable Aboriginal staff including Elders and experiential speakers, and avoiding “Pan Indian” methodologies.

Strategies: Studying other anti-trafficking strategies is helpful (such as from other countries, or those approved by the United Nations). Also, identifying which aspects are conducive for stopping trafficking activities, such as improving co-ordination among law enforcement agencies, and strengthening intelligence-gathering practices,

Targeting the traffickers: This can be accomplished through law enforcement training/ initiatives, heightened public awareness (such as campaigns that help service providers become cognizant of signs of their clients/ users being trafficked), liaising with the banking and financial services sector (to become familiar with telltale signs in financial dealings), and also other industries that are commonly used by traffickers (*eg.*, hospitality, manufacturing, construction, agricultural, and travel).

3.3 What was said about the Forum . . .

Forum participants, through the Evaluation sheets, made the some written suggestions or comments.

In the area of *federal government efforts*:

- I would have liked to hear more about the government’s efforts in directly addressing the TIP problem within Aboriginal communities.
- [I would have liked] more context – clarity of current work already underway within departments, research/ data available as an introduction, intended next steps.
- I work in programs; it will be good to hear about what other programs exist out there to respond to the needs of the marginalized groups.

In the area of the *experiential speakers*:

- The two presenters from the community were the highlight of the event. And yet, neither one of them spoke directly to the topic of TIP. We heard about gang involvement and prostitution, but the direct link was not made between the keynotes and TIP. Could we have perhaps been clearer in our instructions on what was expected from the speakers, or did they simply not actually have experience in TIP? Or, was the point to explore and find the links among gangs, prostitution and TIP? While most of the people in attendance understand that the issue of TIP is broad and overlapping with other social problems, I was expecting a more concerted effort for this to be pinned down and clarified.

Note: The Forum organizers acknowledge that the order of the morning presenters could have been improved. After Goguen and Taylor set the context of the topic, one of the organizers should have made the “tie-in” between them and the experiential speakers who would have spoken next. As it was, there was none. Certainly, the organizers could also

have been more mindful about the points regarding TIP they wished the experiential speakers to make.

- I was impacted by the two experiential speeches given by Steve and Catherine. Hearing from people on the ground is a must in the Aboriginal community; the connection needs to be made between their/our realities and federal policy. Where the work we do in government (at times) can feel ethereal at best and coma-inducing at worst, a healthy dose of front-line knowledge is a good reminder of why we come to work every day.
- I really enjoyed the presentations by the guests – real-life stories usually put things into perspective. There should be more of that.
- The first two presenters [had the most impact on me] It was great to hear about the different yet similar stories.
- The trafficking (organized crime) aspects of the experiential speakers were missing. In hindsight, this should have been explained more for a slightly altered delivery.
- As well, I would mention that having RAGS (Regina Anti-Gangs Strategy) participate was a good way to remind us adults what and who we are working for. It was very impactful to hear from RAGS and I commend them for their courage to speak out and share their stories.

Other comments:

- All the presentations and speakers were relevant and had a meaningful impact on me. This is a serious issue and one that needs all relevant stakeholders to work together to address it.
- More people think about TIP as an international issue and very few understand the domestic context of this problem. The forum did a good job at informing the latter.
- Anette Sikka's presentation made a big impact because she provided a good challenge to some of the legal definitions and made you think and critically analyze the possible government response to the issues within trafficking.

In conclusion, the *First Peoples Group* (FPG) who organized the Forum, were encouraged by these comments from (anonymous) participants; others were stated orally that were just as constructive. FPG President Guy Freedman observes that the federal government's community-based efforts in the area of TIP and sexual exploitation needs to be improved, and that innovative ways of building stronger urban Aboriginal communities must be sought. For the Aboriginal people of yesterday are not the Aboriginal people of today – times and seasons change, especially as their movement increases into more urban areas. The words of FPG's Elder and Advisor, Maria Campbell, reflect the epistemology of change among the First Peoples:

Our teachers constantly remind us that just like the seasons—culture changes—it's never the same. Just as last summer was not the same as this summer. And so territory changes, tribes change. Today those of us who hunt and gather in the city are an urban tribe—Tribe, not in the western sense but rather in the Native sense—in my language, it is called wahkotowin: Family kinship made up of a new landscape and different peoples. Tradition and culture in the way it takes care of each other and in the inheritance it leaves its children.

Meegwetch, thank you, merci.

References

- Alfred, G.T. (2009). Colonialism and state dependency. *Journal of Aboriginal Health*, November, 42-60.
- Andreas, P. & Nadelmann, E. (2006). *Policing the globe: Criminalization and crime control in international relations*. New York: Oxford University Press.
- Assembly of First Nations National Youth Council. *Sexual health video series*. Retrieved from <http://www.afn.ca/index.php/en/policy-areas/health-and-social-secretariat/resources-updates/afn-national-youth-council-sexual-health-video-series>
- Barrett, N. (2010). An exploration of promising practices in response to human trafficking in Canada. Paper prepared for Federal/Territorial/Provincial Forum of Status of Women Senior Officials and the Government of Manitoba. Vancouver: International Centre for Criminal Law Reform & Criminal Justice Policy. Retrieved from <http://www.icclr.law.ubc.ca/files/2010/An%20Exploration%20of%20Promising%20Practices%20in%20Response%20to%20Human%20Trafficking%20in%20Canada.pdf>
- Beresford, P. (2003). *It's our lives: A short theory of knowledge, distance and experience*. London UK: OSP for Citizen Press.
- Blackstock, C. (2006.). *Reconciliation in child welfare: Touchstones of hope for Indigenous children, youth and families*. Retrieved from http://reconciliationmovement.org/docs/Touchstones_of_Hope.pdf
- Cherry, T. (2008, September 28). Flesh trade targets natives: Young Aboriginal women used as a sex commodity in cities across Canada. Toronto Sun, p. 1A. Retrieved from <http://www.torontosun.com/news/canada/2008/09/29/6916776-sun.html>
- Denton, E. (2010). International news coverage of human trafficking arrests and prosecutions:

- A content analysis. *Women & Criminal Justice*, 20(1/2), 10-26.
- Hunt, S. (2008). *Trafficking of Aboriginal girls and youth: Risk factors and historical context*.
http://www.interfaithjustpeace.org/pdf/sara_hunt-human_trafficking/sara_hunt-human_trafficking.pdf
- Laczko, F. (2005). Introduction of data and research on human trafficking: A global survey, 5-16. Retrieved from www.iom.int/jahia/webdav/site/myjahiasite/.../data_res_human.pdf
- Landon Pearson Resource Centre for the Study of Childhood and Children's Rights*. (n.d.). Retrieved from www.landonpearson.ca/index.html
- Oxman-Martinez, J., Lacroix, M. & Hanley, J. (2005). *Victims of trafficking in persons: Perspectives from the Canadian community sector*. Ottawa: Department of Justice, Research and Statistics Division.
- Piper, N. (2005). A problem by a different name? A review of research on trafficking in South-East Asia and Oceania. *International Migration*, 43(1/2), 203-233.
- Ratansi, Y. (2007). Turning outrage into action to address trafficking for the purpose of sexual exploitation in Canada. Report of the Standing Committee on the Status of Women. Retrieved from
<http://www.parl.gc.ca/HousePublications/Publication.aspx?DocId=2738918&Language=E&Mode=1&Parl=39&Ses=1>
- Salvation Army. (n.d.). *Deborah's Gate: A place of rescue and hope for victims of human trafficking*. Retrieved from www.deborahsgate.ca/
- Sethi, A. (2007). Domestic sex trafficking of Aboriginal girls in Canada: Issues and implications. *First Peoples Child & Family Review*, 30(3), 57-51.
- Shelley, L. (2010). *Human trafficking: A global perspective*. New York: Cambridge University Press.

- Sikka, A. (2009). *Trafficking of Aboriginal women and girls in Canada*. Ottawa: Institute on Governance, Aboriginal Policy Research Series.
- Totten, M. (2009). Aboriginal youth and violent gang involvement: Quality prevention strategies. *Review de l'IPC Review*, 3, 135-156.
- United Nations. *United Nations Convention against Transnational Organized Crime and the Protocols Thereto*. Retrieved from <http://www.unodc.org/unodc/en/treaties/CTOC/>
- VictimLink BC. (n.d.). *Information and support for all victims of crime*. Retrieved from www.victimlinkbc.ca/
- Winterdyk, J., Perrin, B. & Reichel, P. (Eds.). (2012). *Human trafficking: Exploring the international nature, concerns and complexities*. Boca Raton, FL: CRC Press, Taylor & Francis Group.

Appendix A: Biographies of Presenters

Steve Mazur

Steve Mazur has been helping homeless and street entrenched youth for the past seven years in his capacity as Basic Needs coordinator with the Winnipeg-based not-for-profit agency Resource Assistance for Youth (RAY).

In 2006, Steve acted as a Research Assistant for the “Under the Radar” project, interviewing approximately 40 gay and trans-gendered individuals for the purposes of exploring gaps in social services to male and trans-gendered sex trade workers. His own experiences as a male escort offered him a special insight into those he interviewed. He has a particular interest in Aboriginal health and is a proud Métis Canadian.

Catherine Daniels

Catherine’s past history includes one of early and constant street involvement. Catherine holds the dubious distinction of being the youngest female in Western Canada to be charged with organized crime under the Criminal Code of Canada. Over the past few years, she has worked hard at turning her life around. She has managed to exit gang life, even though in doing so, she has alienated members of her family and had to give up friends that she has known her whole life.

Catherine is 24 years old, and the mother of Payton, who is affectionately known as Chubberz. Catherine works part-time at RAGS (Regina Anti-Gang Strategy) as a junior staff and mentor.

Taunya Goguen

Taunya Goguen has been manager with the Public Safety’s Serious and Organized Crime Division since 2008. She manages a team responsible for several national policy files including human trafficking, child sexual exploitation on the Internet and drug enforcement. Prior to 2008, Taunya worked for the Correctional Service of Canada in a number of areas, including sex offender programs, community parole, human rights, planning and policy. She holds a Master of Arts degree in Criminology from the University of Ottawa.

Matthew Taylor

Matthew Taylor is Legal Counsel with Justice Canada’s Criminal Law Policy Section. He is responsible for a wide range of matters in the areas of organized crime and trafficking in persons. In 2005, Matthew was a member of the team responsible for the development of Canada’s Criminal Code offences on trafficking in persons. He has delivered training on trafficking in persons throughout Canada and abroad and has provided support to the United Nations Office on Drugs and Crime and the Commonwealth Secretariat on various anti-trafficking initiatives.

Hon. Landon Pearson, O.C.

The Honourable Landon Pearson O.C. is a long-time advocate for the rights and well-being of children. From 1994 to 2005, Landon Pearson served in The Senate of Canada, where she became known as the Children’s Senator as well as the Senator for Children. In May 1996, Senator Pearson was named Advisor on Children’s Rights to the Minister of Foreign Affairs. In

1998, she became the Personal Representative of the Prime Minister to the 2002 United Nations Special Session on Children. She then coordinated Canada's response to the Special Session entitled *A Canada Fit for Children*.

For more information on the Hon. Landon Pearson O.C., please visit www.ladonpearson.ca

Dr. Susan McIntyre

Over 25 years' experience working with families and children in the treatment of juvenile justice arenas with a special expertise in the area of sexual exploitation has allowed Susan McIntyre to develop proficiency in program management and development. Possessing a unique blend of social services expertise and business know-how, Susan understands the social sector's challenge of meeting mission goals while integrating mainstream business practices and accountability into daily operations.

Irene Goodwin

An Ojibway from north-western Ontario Treaty 9 area, Irene was raised in a culturally-based traditional lifestyle and uses this foundation in guiding her direction in all avenues of her life. This traditional background combined with studies in political science and economics has enabled her to effectively advocate for the socio-economic betterment of Aboriginal peoples at all levels, locally, regionally and nationally.

During her tenure with NWAC, Irene has worked on the following issues: diabetes, FASD, Aboriginal gangs, violence and sexual exploitation and trafficking of Aboriginal women and children. Her current work with the Evidence to Action project focuses on the issue of missing and murdered Aboriginal women and girls and addressing the extreme levels of violence within their lives.

Anette Sikka

Anette Sikka is a lawyer and a doctoral candidate at the Faculty of Law, University of Ottawa. Her doctoral research focuses on migrant labour and trafficking in persons, particularly in the Canadian context. She formerly worked for the United Nations in Bosnia and Herzegovina and in Kosovo on issues related to policing, gender-violence and trafficking and she periodically consults in Iraq on security sector reform issues. Her other research looks at gender and labour, occupational health and safety, and gender and security sector reform.

Rosalind Currie

Rosalind Currie is the Director of BC's office to Combat Trafficking in Persons with the Ministry of Justice. Roz has worked with OCTIP since September 2008.

Roz has a law degree and worked at the BC Human Rights Commission prior to joining the BC provincial government. Roz has practiced as a lawyer and worked as a consultant as well as volunteered as a board member to two organizations promoting the legal equality rights of women.

Appendix B: Speaking notes of presenters

1. Allan MacDonald, Director General, Office of the Federal Interlocutor for Métis and Non-Status Indians

The *Office of the Federal Interlocutor for Métis and Non-Status Indians* (OFI) would like to welcome you and thank you, for attending the knowledge exchange forum on trafficking in persons and sexual exploitation of Aboriginal people.

In particular we would like to thank the following people: Elder Jim Albert for the opening prayer, Honourable Landon Pearson for attending and moderating the afternoon panel, Guy Freedman and Anita Olsen Harper of First Peoples Group for hosting this forum for us, our keynote speakers Steve Mazur and Catherine Daniels for agreeing to share their wisdom and experience with us, and the rest of our honoured speakers.

Thank you to those who travelled from different parts of Canada to be with us.

Most importantly thank you to all of you for taking time out of your busy schedules in particular as this is a very serious and challenging topic.

The OFI has taken the lead on the Trafficking in Persons file for Aboriginal Affairs to be a focal point for the Aboriginal perspective on this topic. Recently, we identified a research gap in the knowledge and understanding of Aboriginal people experiencing trafficking and sexual exploitation.

The purpose of the forum is to address that gap to bring together federal departments, provinces, Aboriginal people and community representatives, policy practitioners, academics, and researchers to exchange knowledge on the topic to better understand community realities and also inform our policy.

This forum is in-line with Canada's approach to combating trafficking in persons which is based on the 4 P's reflected in the UN Protocol: preventing trafficking; protecting victims; prosecuting offenders, and partnership building within Canada and internationally. The Government of Canada has committed to developing a national action plan through Public Safety that will address all of these components.

Aboriginal Affairs is working in partnership with Public Safety and other federal departments (18 in total) which has coordinated federal activities on Trafficking in Persons since 2004.

We are pleased to say that OFI and Public Safety are undertaking joint policy work, this fiscal year, that is exploring the Aboriginal dimension on the domestic Trafficking in Persons issue as knowledge in this area is limited.

The focus of the project will be a literature review and interviews with Aboriginal male and female sexually exploited youth in Vancouver or Winnipeg exploring the issue of domestic trafficking in persons and sexual exploitation. The objective of the project is to better understand current realities of this issue for Aboriginal youth from a gendered perspective.

So what do we currently know about trafficking of Aboriginal persons?

What we do know from previous studies on human trafficking is that: the majority of people trafficked within Canada are Aboriginal women and children who are victims of sexual exploitation and Aboriginal males are also victims of sexual exploitation; there are growing rates of commercial exploitation of children in Canada; Aboriginal girls are increasingly vulnerable due to earlier recruitment into the trade through recruitment by gangs and “gang-girls”; and that family member recruitment continue to be central issues.

We’ve assembled this diverse group of experts to discuss many of these issues so that we can work together to explore culturally appropriate prevention measures.

It is only through our collaboration and discussion that we can better address and develop policy.

I am pleased that you have joined us for these discussions and we look forward to receiving the final report for the forum.

Thank you.

2. Steve Mazur, Resource Assistance for Youth (RAY)

Slide 1:

Who I am

Mother – residential school
Disconnect from Métis heritage
Acceptance of French German heritage
Married young, denial of sexuality

Slide 2:

Who I Became

Acceptance and exploration as a gay man
Family disconnect
Drift into sexual exploitation life
How and why drift occurred

Slide 3:

WHAT I BECAME

Exit from street life
Outreach worker
Research interviewer “Under the Radar” Manitoba
Value and outcome from experiences

Note: The next speaker after Mazur, Catherine Daniels, did not have speaking notes.

4. Taunya Goguen, Public Safety Canada

Slide 0:

Building a Safe and Resilient Canada: Federal Efforts to Combat Trafficking

March 5, 2012

RDIMS #564894

Slide 1:

Context/ Scope

- Trafficking in Persons (TIP) involves the recruitment, transportation and harbouring of persons and/or control of their movement for the purpose of exploiting their labour or services, typically for sexual exploitation or for forced labour
- True extent of TIP is difficult to measure:
 - It estimated that between (approx.) 700,000 and 2 million people are trafficked annually worldwide for the purposes of forced labour or sexual exploitation
 - In Canada, there have been 10 TIP-specific *Criminal Code* convictions (279.01) with an additional 57 cases before the courts (91 accused and 156 victims)
 - Majority of victims Canadians, trafficked for sexual exploitation, although forced labour cases (foreign nationals) are being more frequently identified
 - Most likely to be victimized are at-risk youth, persons who are socially or economically disadvantaged, such as some Aboriginal women and girls, migrants and new immigrants
 - Community advocates working with TIP victims suggest the number is much higher than reported cases

Slide 2:

Overview of Federal Strategy

- The Interdepartmental Working Group on Trafficking in Persons
 - Co-led by PS and DOJ
 - 18 departments and agencies
 - Central repository of federal expertise and forum for development of government policy, information exchange and promotion of national and international cooperation
- Canada's efforts are guided by the *UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children* and is based on a 4-P approach:

- Prevention
- Protection of victims
- Prosecution
- Partnerships (domestic and international)

Slide 3:

Prevention Highlights

- General Awareness campaigns:
 - Canadian Crime Stoppers Association launched “Blue Blindfold” campaign in 2010 and acts as Canada’s tip-line to report suspected cases
 - RCMP “I’m not for Sale” campaign: Mass toolkit distribution including posters, Police Officer’s Handbook, fact Sheets and awareness video
- Regional, national and international expert roundtables to prevent TIP held in March 2011
- Developed and delivered training for provincial labour inspectors
- Funded the People’s Law School to develop plain-language awareness materials on TIP
- Funded the Assembly of Manitoba Chiefs to develop an Action Plan to promote national awareness and prevention strategies to eliminate the sexual exploitation of First Nations women and children in Canada

Slide 4:

Protection Highlights

- Enabled Immigration Officers to issue short-term temporary resident permits (TRP) to trafficking victims for up to 180 days
- Implemented policy for RCMP officers to ensure that victims basic needs and protection are met throughout TIP investigations including by linking them to available resources in their community
- Supported Canadian Council for Refugees to host a national roundtable on improving services and protection for TIP victims
- Partnered with BC OCTIP to launch a training curriculum aimed at enhancing the ability of first responders and service providers to identify, assist and protect TIP victims in British Columbia

Slide 5:

Prosecution and Enforcement

- Enacted specific TIP offences:
 - *Immigration and Refugee Protection Act* (2002)
 - *Criminal Code of Canada* (2005, 2010)
- Established the RCMP's Human Trafficking National Coordination Centre (HTNCC) and six regional human trafficking awareness coordinators acts as focal point for law enforcement to combat human trafficking (2005)
 - Since 2008, more than 39,000 law enforcement, border and immigration officers, prosecutors, government agencies, non-government organizations and the general public across Canada received training and awareness sessions
 - Released human trafficking threat assessment in 2010 to provide strategic guidance to law enforcement
- Implemented comprehensive policies and procedures for border services officers
- Worked with UNODC to develop anti-TIP manual for criminal justice practitioners, model anti-trafficking law and needs assessment toolkit on criminal justice responses to TIP.

Slide 6:

Partnerships and Knowledge

- Through the Justice Victim's Fund, Status of Women's Community Fund and Public Safety's Contribution Program to Combat Child Exploitation and Human Trafficking, the Government has partnered with both governmental and non-governmental organizations to enhance efforts to combat TIP in Canada
- Released a feasibility study on developing a national data collection framework on trafficking in Canada in June 2009
- Partnered with the Canadian Association of Chiefs of Police to host a national conference on TIP in March 2011
- Funded research to assess whether any increase in TIP occurred as a result of 2010 Winter Games

Slide 7:

Partnerships and Knowledge

- Provided funding to combat trafficking in persons internationally through the Anti-Crime Capacity Building Program (Americas focus)

- Provided funding to International organizations and NGOs that work to prevent, protect and rehabilitate trafficking victims (e.g., anti-trafficking projects and programs in China, West Africa, Central and Eastern Europe, and Southeast Asia) (CIDA)
- Supported the International Labour Organization in a technical assistance project (HRSDC – Labour)

Slide 8:

Next Steps

- As part of their election platform, the Government committed to developing and implementing a National Action Plan.
- The release of this Plan is expected in the coming months

5. Matthew Taylor, Department of Justice Canada

Slide 1:

Wahkotowin: A Knowledge Exchange Forum on Trafficking in

Persons and Sexual Exploitation of Aboriginal Peoples

Trafficking in Persons: Criminal Law Responses

Ottawa, Canada

5 March 2012

Slide 2:

Trafficking in Persons

- Issue of trafficking in persons challenges policy makers, legislators and law enforcement to respond to a complex problem.
- The *Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (Trafficking Protocol)* represents the most widely accepted international framework for combating what has been described as a contemporary form of slavery.
- Trafficking Protocol **requires**, amongst other things, that States Parties:
 - Criminalize trafficking in persons (Art.5(1));
 - Ensure its domestic legal system contains measures that allow victims the possibility of obtaining compensation for damage suffered (Article 6(6)).

Slide 3:

Trafficking Protocol - The Prohibited Conduct Defined

- Article 3 of the *Trafficking Protocol* defines “Trafficking in Persons” and provides the basis for criminalization:

“Trafficking in persons” shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs;

- In its essence, trafficking in persons involves three key elements:
 - A physical act: namely, the recruitment, transportation, or harbouring of a person;
 - Accomplished by the use of means such as threats, force, coercion or deception;

- For the ultimate purpose of exploiting the victims.

Slide 4:

Trafficking in Persons:

279.01: Every person who recruits, transports, receives, holds, conceals or harbours a person, or exercises control, direction or influence over the movements of a person, for the purpose of exploiting them or facilitating their exploitation is guilty of an indictable offence and liable

- *(a) to imprisonment for life if they kidnap, commit an aggravated assault or aggravated sexual assault against, or cause death to, the victim during the commission of the offence; or*
- *(b) to imprisonment for a term of not more than fourteen years in any other case*
- Consistent with the internationally recognized definition of trafficking, the offence criminalizes specified acts undertaken for the purpose of exploitation – UN Trafficking Protocol (ratified by Canada in 2002)

Slide 5:

Act Elements of the Offence

- *....recruits, transports, receives, holds, conceals or harbours a person, or exercises control, direction or influence over the movements of a person.....*
- Elements are disjunctive- you only need to establish that one of the act element elements was committed.
- **“Exercises control, direction or influence”**
 - “Control” refers to invasive behaviour which leaves little choice to the person controlled and therefore includes acts of direction and influence.
 - Exercise of direction over the movements of a person exists when rules or behaviours are imposed.
 - Exercise of influence includes less constricting actions– any action done with a view to aiding, abetting or compelling that person would be considered influence. (*R v Perreault* (1996), 113 CCC (3d) 573; *R v Rodney*, [1999] AJ No. 197; *R v Ng* [2007] BCJ No 1338)

Slide 6:

Section 279.04: Exploitation

Exploitation

- The means used - principally through coercion and force - and the exploitative purpose distinguish trafficking in persons from other crimes.
- Section 279.01 captures these elements by requiring that the offence be committed for the purpose of exploiting the victim.
- *For the purpose of the trafficking in persons offences, 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*

Slide 7:

Exploitation

- Proving exploitation is a two-stage process.
- (1) Prove that the accused intended to cause a person to provide, or offer to provide their labour or services (or knew that they would be);
- (2) Prove that the labour or services was provided (or offered) as a result of conduct that, in all the circumstances, could reasonably be expected to cause the person to fear for their safety or someone known to them if they failed to provide.
 - It does not necessarily require proof that the victim was afraid— offence requires evidence to show it would be reasonable for that person, in the circumstances to fear for their safety.
 - Focus of test is on the effect of the behaviour in a given case.
- Subsection 279.04(b) provides an additional way to prove exploitation.

Slide 8:

Establishing the Elements of the Offence

- *“Belief that safety or the safety of a person known to them would be threatened”*
 - *“Safety”*: Safety need not be restricted to physical harm but may also include mental, psychological or emotional safety. (*R. v. Ryback*, [1996] BCI No. 285; *R. v. Goodwin* (1997), BCAC 269 (CA))
 - *“Someone known to them”*: Could include family member such as mother, father, brother, sister, child or friend.

- “Reasonably be expected to cause the other person to believe”
 - Must look to all of the circumstances to establish reasonableness of the belief.
 - “Reasonableness requires an objective foundation, based on a “reasonable person’s view”. (*R. v. Sillip* (1997), 120 CCC (3d) 384 (Alta. C.A.))
 - However, considerations with respect to the age, gender, and circumstances are also taken into account. (*R. v. Sousa* (1995) OJ No. 1435; *Sillip*)
 - Evidence of accused’s prior conduct may be admissible to prove whether victim’s belief was reasonable (*Ryback*)

Slide 9:

Section 279.01: Trafficking in Persons Offence

Summary of main offence

- Actual exploitation need not be proven to make out offence - rather the actions need only have been committed for the purpose of exploiting the victim.
- Accused need not have participated in all “stages” of trafficking to be charged with the offence.
- Consent of the victim is no defence to a charge of trafficking in persons.
 - Section 279.01(2) makes clear that any purported consent is vitiated because of the exploitative purpose.
- No requirement that victim was moved across borders or from one city to another.
 - Offence is not about movement, but rather about exploitation.

Slide 10:

Section 279.01: Penalty

- Indictable offence punishable by:
 - life imprisonment if they kidnap, commit an aggravated assault or aggravated sexual assault, or cause death to, the victim during the commission of the offence, or
 - A maximum penalty of 14 years imprisonment in any other case.
 - Mandatory minimum penalties where victims are under the age of eighteen years (Section 279.011).
- Six year mandatory minimum in cases involving kidnapping, aggravated assault, aggravated sexual assault or death (where the victim is under 18).

- Five year mandatory minimum in all other cases (where the victim is under 18).

Slide 11:

Section 279.02: Material Benefit

Material Benefit

279.02: Every person who receives a financial or other material benefit, knowing that it results from the commission of an offence under subsection 279.01(1) (trafficking in persons offence) is guilty of an indictable offence and liable to imprisonment for a term of not more than ten years.

- Provision targets those who seek to profit from trafficking in persons but who do not necessarily engage in conduct relating directly to trafficking in persons.

Slide 12:

Section 279.03: Withholding or Destroying Documents

Withholding or Destroying Documents

- *279.03: Every person who, for the purpose of committing or facilitating an offence under sub-section 279.01(1), conceals, removes, withholds or destroys any travel document that belongs to another person or any document that establishes or purports to establish another person's identity or immigration status is guilty of an indictable offence and liable to imprisonment for a term of not more than five years, whether or not the document is of Canadian origin or is authentic.*
- Targets activity that is often associated with trafficking in persons and which may be used to perpetuate the exploitation of trafficking victims.
- Documents referred to in this provision may be forged or authentic.

Slide 13:

Other Criminal Code Offences and TIP

- Prior to the coming into force of specific TIP *Code* offences and *IRPA*, human trafficking was prosecuted through other *Criminal Code* offences.
- Can still use existing *Criminal Code* offences – applying law to facts.
- Other charges may be warranted, depending on the evidence, either in addition to, or in place of, trafficking-specific charges. Consider, for example:
 - Kidnapping, ss.279(1); Extortion, s.346(1); Intimidation, s.423; Assault, ss.265-268; Causing bodily harm or death by criminal negligence, ss.220 and 221; Homicide, ss.229.; Sexual assault, ss.271-273; Forcible confinement, s.279(2); Uttering threats, s.264.1; Conspiracy, s.465; Prostitution-related offences, s.210-212, and, in particular, Living off the avails of the prostitution of a person under

18 years of age, ss.212(2) & (2.1); Obtaining for consideration the sexual services of a person under 18 years of age, s.212(4); Child abduction (non-parental), ss.280 and 281; Child pornography, s.163.1; Organized crime provisions, ss.467.1-467.13.

Slide 14:

Best Practices – Dealing with Witnesses/Victims Use of interpreters

- Dealing with inconsistent and/or multiple statements
- Establishing trust, good relations with witnesses/victims
- Developing strategies to strengthen the victim's credibility as a witness or otherwise support her/his participation during the trial process

Slide 15:

Best Practices – Witness /Victim Support

- Support the victim throughout the process– research demonstrates that when victims are supported through the criminal justice process, there is an increased likelihood that they will support the prosecution.
- Utilize victim/witness testimony provisions
 - *i.e.* testimonial aids for vulnerable witnesses
 - See sections:
 - 486.1(1) & 486.1(2) – presence of a support person
 - 486.2(1) & 486.2(2) –testimony via closed-circuit television or behind a screen or other device
 - 486.3(2) – a judge may order that the accused may not personally cross-examine the prosecution witness
 - 714.1-714.4 – receipt of evidence by means of audio or video technology

Slide 16:

Further Information

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6. Dr. Sue McIntyre, The Hindsight Group

Slide 1:

- Youngest Profession; Oldest Oppression
- Interviewed 50 & 12 Aboriginal 24%
- 9 Young Men 1/3 Aboriginal
- Recognition Transition Offender Victim

Slide 2:

- Strolling Away 10 Years later 38/50
- 11 Aboriginal 29% (2 Different)
- Young Men Enter Younger Stay Longer
- Female Lens

Slide 3:

- Under the Radar Western
- 157 Young Men 96 Aboriginal (SK 85%)
- Sexual Abuse Prior Street = 70%
- Physical Abuse Prior Street = 79%

Slide 4:

- Running Prior Street = 81%
- Connected Aboriginal Culture = 54%
- Child Welfare = 61%
- Self-harm Prior Street = 54%

Slide 5:

- Education no GED = 63%
- Addiction Part Work = 82%

- Gay Bashed 54%
- Regulars / Sugar Daddies = 86%

Slide 6:

- Introduced self to work = 32%
- Introduced to work by family = 7%
- Introduce to work by friend = 45%
- Introduce to work customer offer = 16%

7. Irene Goodwin, Director of Evidence to Action, Native Women's Association of Canada (NWAC)

NWAC is a National Aboriginal Organization with 12 Provincial and Territorial Member Associations, from coast, to coast, to coast. With the mandate to enhance, promote, and foster the social, economic, cultural and political wellbeing of Aboriginal women within Aboriginal communities and Canadian society.

NWAC has, for over 38 years served as a collective voice for Aboriginal women on all issues related to our life experiences and our way of being. NWAC has been the lead Aboriginal (NGO) in researching, documenting and raising awareness on the issue of violence against Aboriginal women and girls; of note, is the research and database work undertaken through the Sisters In Spirit initiative.

NWAC has not YET done work on human trafficking of Aboriginal women and girls. However, in the work we have done over the years, in particular research specific to Aboriginal women and girls; NWAC has identified human trafficking as an issue already deeply imbedded and normalized in some parts of the country. Clearly there is NOT just a need to further examine the issue – there is the REAL NEED FOR ACTION.

Before we move on to what ACTION might entail, I want to quickly share some points for consideration from NWAC's various research pieces:

2006 report: *“Sexual trafficking of Indigenous women and girls in Canada”*. This report highlights the “gap of information” and “vulnerability” of Aboriginal women and girls in relation to sexual trafficking.

2009 APRC; NWAC hosted several panels: two panels included references to human trafficking: the panel on sexual exploitation, and the panel on Aboriginal gangs. Both sessions included Aboriginal women whose experiential voices and stories included elements identified as human trafficking, such as: being held against their will, having identification removed from them, being sexually exploited, and having “wages” withheld. One of the panels included a past Gang Member, a young Aboriginal man whose primary role was the recruitment and exploitation of Aboriginal girls for the economic benefit of the Gang and the gang families. Participants in both panels pointed to historical and current socio-economic influences that contributes to the “normalization” of risk-taking lifestyles, including the perception of early death as a result of extreme violence. For those gang involved, including the young women who are being exploited and trafficked, death by murder is based on “who” and “what” they are – this is of course, without the added “Aboriginal-ness” which increases vulnerabilities. 2009 NWAC Report, Dr. Mark Totten: Investigating the linkages between FASD, Gangs, Sexual Exploitation and Woman Abuse in the Canadian Aboriginal Population: A Preliminary Study. Two extracted clips:

- Sexual trafficking of Canadian Aboriginal girls and women is most common within the borders of Canada, particularly in the Prairie Provinces. Trafficking networks are found in major cities (such as Vancouver, Winnipeg, Regina, Edmonton) and in small towns in B. C. and the Prairies. There are patterns of city triangles across provinces (for example,

Saskatoon – Edmonton – Calgary – Saskatoon; and Calgary – Edmonton – Vancouver, Calgary). The oil rigs and mining businesses in Alberta have contributed to trafficking activity. When discarded or escaping, Aboriginal women end up in big city ‘hot spots’ such as Downtown Eastside of Vancouver, where they are at considerable risk of being victimized by severe violence and murder.

- Several in-depth interviews with gang leaders who are trafficking and exploiting young women reveal an intergenerational dynamic of mothers, aunts and grandmothers having been forced to work in the sex trade and/or trafficked. It is no coincidence that these same women, along with the fathers of these young men, have suffered greatly from colonization and residential schools. Many of these young men bitterly report that their mothers were absent throughout their childhood – some having been murdered or missing for extended periods of time. Some expressed hatred for their mothers. These gang leaders seem to have learned how to sexually exploit and traffick girls in their own families at a very young age.

The challenges in addressing the vulnerabilities of Aboriginal women and girls may seem too big to tackle. But they are NOT; with a coordinated approach change is possible.

Social conditioning, media profiling, stereotyping, and sexualized, racialized violence are taught – either directly or subliminally. We are all, therefore responsible not just for our actions, but also for our in-action. There is the long standing perception that Aboriginal women and girls are more willing and sexually available. Predatory people, upon hearing statistics around sexual exploitation look at Aboriginal women and girls as sure and easy targets. And, there are of course the current socio-economic challenges that lead to vulnerabilities (SDOH, poverty, low education).

Addressing the issues means facing the truth. This includes the fact that Aboriginal women and girls have long been exploited and trafficked in Canada, beginning first with the NWMP (now the RCMP) who kept “brothels” and traded Native girls across their Prairie forts during the settling of Canada – if you do not believe this, check the archives right here in Ottawa.

Currently NWAC has no projects that focus on human trafficking but we certainly are interested in the issue and its connection to missing and murdered Aboriginal women and girls. Preliminary research points to an underground human trafficking network of Aboriginal women and girls, primarily for sexual exploitation. Anecdotal evidence provided by grassroots people and organizations and communities suggests that Aboriginal women and girls are being trafficked within Canada and across international borders.

As I mentioned when I first started, there is a **REAL NEED TO ACTION** what we already know, and investigate what we don’t know. Ultimately, **ACTIONS** should result in added data and research, but more importantly - directed and positive change to the lived circumstances of Aboriginal people, women and girls especially:

NWAC recommends the following actions:

1. Educating the general populace, relating a true portrait of the colonization of North America, with a focus on the Indigenous population, and an honest look at how Indian Policy in Canada has shaped the lives of our people today.
2. Addressing the factors preventing Aboriginal communities from acknowledging the sexual exploitation and trafficking of their young girls and women:
 - Poverty
 - Limited resources
 - Lack of education
 - Lack of understanding that good and resources traded for sexual favours is exploitation
 - Fear of outside involvement within the community
3. Familial based trafficking – related to poverty and intergenerational or cyclical resulting from residential school experiences and colonization;
4. Human trafficking triangles: Very little is known about the operation of these or the lives of the women and girls within them.
5. In relation to missing and murdered Aboriginal women and girls, linkages to human trafficking need to be examined;
6. Gender Based Analysis is important – keeping in mind that solutions and actions must be culturally relevant; and,
7. NWAC strongly supports the idea of a National Children’s Commissioner, who would ideally be an Aboriginal person.

Before I finish, I just wanted to mention a comment made by a young First Nation woman during the AFN Justice Forum 2 weeks ago – she pointed to the impact of residential schools on our people – and stressed that there are more children in care today than there was during the residential school era. Saying that, what started in residential schools continues today under a new system with the same intended goals of assimilation and destruction of Aboriginal families, communities, and cultures. Coincidentally, almost all the gang-involved youth we’ve met, have life pathways that started with being in care.

Thank you.

8. Anette Sikka, University of Ottawa

-- asked to try to answer whether or not I think ab girls are trafficked in Canada, according to the law.

-- projects across Canada on international trafficking, including sex work and other forms of labour, as well as children and Aboriginal women and girls, Senate, RCMP, Aboriginal and Northern Development Canada

-- so much evidence that Aboriginal women are exploited in the sex trade, that young Aboriginal girls are involved in the sex trade

-- is this trafficking, or what parts of it are trafficking?

-- practical answer but not always a popular one - why should it matter?

-Some things would be classified as trafficking under the Criminal Code.

Criminal Code offence:

(1) Every person who recruits, transports, transfers, receives, holds, conceals or harbours a person, or (and I think this is key for the purposes of Aboriginal women and girls) exercises control, direction or influence over the movements of a person, for the purpose of exploiting them ... is guilty of an indictable offence

exploitation (is at 279.04) (a) cause them to provide a service by engaging in conduct that could reasonably cause the person to believe that their safety would be threatened if they don't comply.

-- so much research so much evidence that Aboriginal women and girls are under control, direction, coercion (*etc.*) in the context of the sex trade.

-- is this trafficking according to our legal definition, some of it yes, some of it no. Where a girl is drugged, lured, or physically hurt, where they're scared not to be involved in the sex trade anymore because of what the consequences would be – yes.

-- bigger issue -does the girl who doesn't fit squarely into the model of coercion deserve less protection because she's gotten into the situation herself? Should she be blamed for that or can we also count the circumstances in which she grew up as a push towards a particular kind of group of friends or lifestyle? What about if they're not afraid enough? The law allows for situations where they're not afraid to be still considered reasonable fear, as Matthew [Taylor] mentioned, but he also mentioned this poses difficulties for prosecution. But a lot of exploitation happens outside this organized context, and the focus on the organized element of the crime inadvertently makes the recognition of girls not in the organized crime category less visible.

-- arbitrarily draw lines trafficking or not trafficking, according to legislation we make up;, and then somehow those who fall on one side of the line are victims and those who don't quite make it are prostitutes? Gang members? Runaways?

-- lines are so blurry and made up

-- why are we so focused on this word, now, when these things – in all their forms – have been going on for decades. Trafficking is just a made up label - made it up by writing the legislation in a certain way, and now we're going in circles trying to get really terrible things that are happening called trafficking so they can get the attention they deserve because it's the big thing now to talk about in international conferences. It's where all the press is.

-- focus on trafficking has actually diverted attention away from the other stuff, which is just as important.

The problem is, this label is supposed to cover so many things. Migrant workers who are exploited, arranged marriages where there is abuse and exploitation, domestic workers, foreign sex workers, Canadian sex workers, sexually exploited youth.

We've hived off portion of all these things ... and called them all trafficking. Some migrant workers are in situations we call so exploitative that they're trafficking. Some sex workers have sometimes been called trafficked because their pimps are in a controlling relationship with them. All sexually youth seems to be called. And we've put one unit or one person in charge of identifying "victims" of all these different kinds of crimes.

Numbers – someone brought this up and in my PhD I do a whole section on the problems with data collection, and the category "trafficking" is so diffuse – we can't do data collection – because it's not just about whether or not they're afraid to come forward but it's about who is counted and how. Trying to keep track of trafficking as one thing is problematic from a research and a practical standpoint.

So, what's happened, well we have tended to go with the most obvious cases. Prosecutors go forward with the most sympathetic cases, almost all of which are children. I don't think we need to just stop the youth SE that falls within this definition – so if they're not afraid enough? What if they're not controlled enough? They're not worthy of protection? It just seems wrong to make those distinctions. We set up a dichotomy between those we deem worthy of protection and those we don't. And the problem is, the rest generally get forgotten because the money these days is all being piled into anti-trafficking programming.

The answer is not to try to squeeze what's happening into this arbitrary definition – it's to actually use what we have to stop this from happening and prosecute those who are offending in various different way. And we have tools. Police across the country have tools in their arsenal – in the CC and in IRPA that address all of these various issues. Living off the avails offence.

We should have beefed up the sentences in that offence instead of creating a new youth trafficking offence that's much harder to prove.

You want to stop migrant workers being exploited use immigration policies and employment policies to make their lives better.

Proving the elements of trafficking in court have been so difficult only the clearest of cases ever make it to prosecution.

The missing and murdered – some of them were sex workers, some of whom may have had coercive third parties controlling them. Many weren't. Pickton preyed on sex workers but didn't

traffic them because he didn't exploit them into performing a service – he raped and killed them. Shouldn't that be enough to garner protection for women who are currently in the sex trade in vulnerable circumstances? We talk about the missing and murdered, Pickton, and sex workers on the downtown east side often interchangeably because they come from the same place – marginalization, foster care, racism, residential school legacy, colonialism. But they're not all trafficking – they're different horrible things that happen to Aboriginal women in our country and that should be enough. They have more in common with each other than they do with other people who might be classed as “trafficked” - migrant sex workers or exploited farm workers. I know someone said earlier that the vulnerabilities are similar I don't see it, having worked on both.

And yet we are trying to lump this one particular thing – coerced sexual exploitation - in with exploitative labour from Mexico.

On a practical level this doesn't work.

Reasons why migrants from Mexico work under terribly exploitative circumstances in fields in ON and BC, are different from why Aboriginal women end up in exploitative sex trades, and the remedies are so different.

On a practical level need separate programs and separate things to stop these different kinds of “trafficking” from happening. Lumping together aboriginal women on the downtown east side and Winnipeg and Regina, and Mexican farm workers hasn't proved to be particularly helpful to migrants or to Aboriginal women.

Aboriginal women and girls are being abused, raped, tortured and killed ... calling it trafficking doesn't make it any worse, it's already bad enough, and we need programming to stop the things that are happening rather than worrying so much about what we call it.

My research showing that all this focus on trafficking has actually diverted our attention from the complexities of all the different things that are going on.

9. Rosalind Currie, Office to Combat Trafficking in Persons in British Columbia

Slide 1:

BC's Office to Combat Trafficking in Persons

Wahkotowin: A Knowledge Exchange Forum on Trafficking in Persons and Sexual Exploitation of Aboriginal Peoples

March 5, 2012

Ottawa, Ontario

Rosalind Currie, Director

Notes:

I am delighted to have this opportunity to introduce the BC's government's Office to Combat Trafficking in Persons.

We are going to introduce the global phenomenon of human trafficking to you with definitions and examples then discuss Canada and BC's response to this most clandestine and covert of activities.

We will work you a bit with some exercises designed to help you recognize situations and discuss human trafficking. We aim to leave with you some tools that will assist you to recognize human trafficking in your worksites and communities.

This Office opened in 2007 and is the first service of its kind in the country.

This presentation will highlight some of BC's prior involvement in cases of human trafficking and outline the steps Canada has taken work leading up to the decision to launch this unique Office. We will look at the global, national and local context of human trafficking. I will present OCTIP's service delivery model and we will look at some of the key international conventions that govern our work.

Slide 2:

Office to Combat Trafficking in Persons (OCTIP)

- Opened July 2007 in Victoria, BC
- Reports to Ministry of Justice
- Joint Funding from Ministry of Children and Families

Notes:

In 2005 the Human Trafficking Response Initiative was created by two ministries. The results of the HT initiative lead to a decision to dedicate resources for an Office and staff to begin building a permanent response to trafficking situations in the province – the OFFICE TO COMBAT TRAFFICKING IN PERSONS opened July 2007 in Victoria.

Also funded by MCFD.

The Office has two locations today - Victoria and Vancouver with a permanent staff of 5: Executive Director; Director of Policy and Stakeholder Relations; 2 Policy and Research Analysts; an Office Manager and additional temporary staff/students including 1 from another government office; 1 intern and two students.

Slide 3:

OCTIP's Mandate: *To develop and coordinate BC's response to Human Trafficking*

- Build a network of response services for trafficked persons in BC
- Work with local communities on prevention efforts
- Contribute to national and international efforts to prevent/eliminate human trafficking

Notes:

Since opening our doors in 2007 our activities have focused on raising the profile of human trafficking across the province through multiple presentations, training sessions and awareness raising campaigns.

Our efforts have focused on those community organizations and front line service providers who may be in a position to encounter trafficked persons but may otherwise not be aware of the dynamics of what they are dealing with.

This includes child protection workers, emergency personnel such as paramedics and fire fighters – recently we received a request from the Vancouver airport firefighters to provide information to their 40 personnel;

Other key groups have included transition house staff, street nurses, victims services.

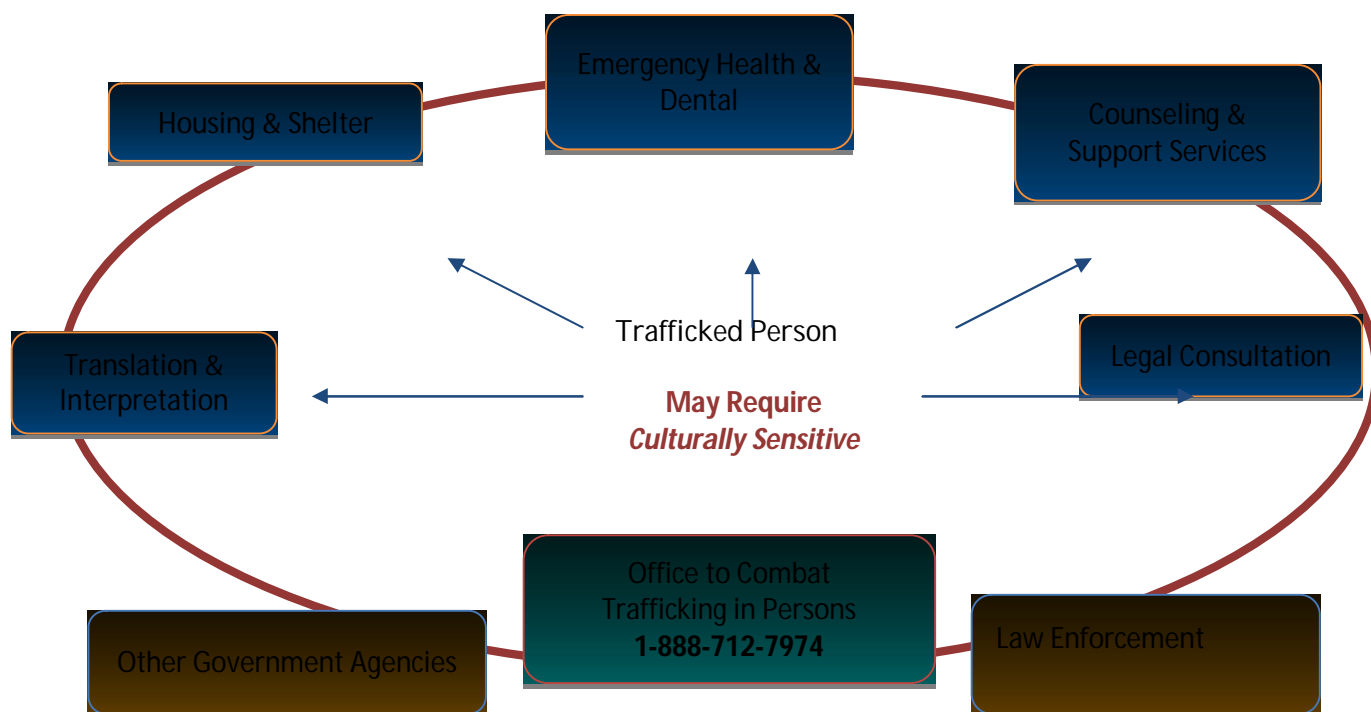
Slide 4:

OCTIP's Current Work

- Awareness Raising and Education
- Online Training Course <http://www.pssg.gov.bc.ca/octip/training.htm>
- Development of Service Networks Across BC
- Community Capacity Building – Prevention Focus
- Protocol Development Between Key Partners

Slide 5:

OCTIP Service Coordination Model: A Human Rights Approach



Slide 6:

Domestic Trafficking

- Movement of individuals within or between provincial boundaries
- Recognized inter-city circuits
- Primarily sexual exploitation
- Unique Vulnerabilities of Aboriginal Women and Girls

Slide 7:

Hidden, un-named, normalized exploitation that puts Aboriginal communities at risk...
(Sarah Hunt, 2008)

Slide 8:

Unique Vulnerabilities of Aboriginal Girls/Women

- Impact of colonization, racism, and residential schools
- Exposure to physical and sexualized violence as minors
- Fragmented families

- Poor public transportation
- Poverty/gender inequality

Notes:

Poverty affects 60% of Aboriginal Children

Suicide rate 8 times national average

Women and children report 75% violence, crime, sexual and physical assault

(Health Canada, 2001)

Slide 9:

Sister, Relative, Auntie



Notes:

Elder Quote – 100 years too late

This has been seen as the norm....

New Name, New Lens, New Impetus

14% - 90% of all prostituted women are Aboriginal girls

Over 60% of prostitutes in Vancouver alone are Aboriginal

Dr. M Totten, 2006

Slide 10:

Youth Recruitment Strategies



- School yard
- Internet Facebook
- Luring and grooming by “boyfriend”
- Drugs
- Other Girls

Notes:

Traffickers entice girls, as young as 10-13 years old, on school playgrounds or on the way to school by promising gifts, a good life, or offering them drugs, leading to addictions and debt bondage, (cell phones, lululemon, tribal tattoos and hoodies)

Use the glamour and seduction of big city w/ lies of a good job, social networking of Facebook, Twitter, *etc.*

Slide 11:

Silence...is killing our communities.

- Musque'um Elder

Slide 12:

Community Capacity Building - Model

- Small town with 15 bands from 3 Nations
- Central, northern region of BC
- High crime rate, especially youth
- Local community-based HT committee formed
- OCTIP presentation at local community event (2010); follow up
- HT Case emerged (2010 – now under investigation)
- Committee and OCTIP “Train the Trainer” model to be implemented in community (2012/2013)

Notes:

- This will be replicated in other communities
- Another case emerges in Victoria from this community recently after a presentation
- Each presentation surfaces a case of domestic HT – Aboriginal teachers, social workers, nurses
- Need for research and documentation of this trend; more than just anecdotal.

Slide 13:

“Gathering our Voices”

- Provincial Aboriginal Youth Conference
- 15- 24 years old
- 1,000 youth: Vancouver, Prince Rupert, Nanaimo
- OCTIP interactive presentation on luring/grooming and human trafficking
- Children of the Street community partner
- Hosted by BC Association of Aboriginal Friendship Societies

Slide 14:

Aboriginal Teachers

- Strategic Partnership in Prevention/Protection of Aboriginal Youth:
 - BCTF Executive/Ministry of Education
 - BCTF Social Justice Committee/Aboriginal Education

- BCTF Social Justice Teachers Conference (3 years)
- Joint Project to bring together Aboriginal teachers in north/central BC re: domestic trafficking

Slide 15:

OCTIP Online Training

- Rose Henry – elder/community member
- Case Study – Aboriginal girl
- Design – west coast/Aboriginal
- Advisory Committee – Aboriginal community members; MARR
- Aboriginal staff/consultants
- Aboriginal Domestic Trafficking research
- Information Sheet: Working Effectively with Aboriginal People

Slide 16:

Training Testimonials

- *“Easy to use and easy to read format. The language was basic and the case studies very helpful.”* **Aboriginal service provider, Hope, BC**
- *“I liked learning about the issue through story. I will share this site with my colleagues.”* **Aboriginal service provider, Western Canada/Territories**

Appendix C: Group work results

1. What role does circumstance play? (e.g., mental health, addictions, poverty)

Big roles/ significant

- risk factors: children in care, disconnected with family, addictions, poverty, no fixed address, [no] education, family violence, trauma/abuse
- protective factors
- not always an issue – power of manipulation
- Internet – boring and generation gap
- age: innocence and puberty
- shopping malls
- Internet cafés

- VictimLink BC
- RCMP
- programs through Salvation Army—Deborah’s Gate Program
- first-response system
- safe houses
- clinical support
- child protection issue – child welfare
- toolkits

- colonization
- poverty is main cause
- circumstance can mean many things, like [need for] acceptance
- circumstance is the driving factor; for Aboriginal people, it is intergenerational trauma
- most Canadians don’t understand the intergenerational impacts
- expand “circumstance” to include asking “why” – getting to the root causes, and accept as circumstances

- look at the social determinants of health to understand how circumstances impact lives
- understanding the different levels of colonization
- class issues and socio-economics
- relationship between communities and institutions creates some of these circumstances
- question of power

- the primary role!!
- if an individual, families, communities don’t have any of these issues, sexual exploitation /HT wouldn’t occur

- addictions, mental health – if there were [enough] beds [in enough facilities], these wouldn't be as pervasive

1a. Moving forward, what can we do in this area?

- long-term rehabilitation
- partnerships with organizations, NOGs and departments involved
- need to know of multiple personality, mental and behavior problems
- what exists to transition kids out
- need to talk about it, and sharing
- gender-based analysis
- other risk factors need to be explored
- not always about circumstance – need to understand that trafficker can be manipulative

- getting away from influence of trafficker
- understanding that it takes more than once
- long-term rehabilitation
- need multiple supports
- solve problem between provinces [jurisdictional]
- protocol for children that move inter-provincially
- toolkits (more)
- services to go to communities and personally helps victims instead of victims going to services
- innovation
- location is important

- outreach in the mall

2. How can we make the “protection of victims” more culturally-relevant?

- need for communities taking the lead
- issue as the defining policy term as opposed to legal definitions
- must stay clear of victim-blaming
- understanding impact of culture on creating victims through the Aboriginal communities; re-educating their children about Aboriginal culture

- use language of the community
- culturally-relevant situation
- capacity-building
- culture training [of services staff and community members]
- more Aboriginal victims services

- Aboriginal communities (and NGOs, PTOs), grassroots and experiential persons need to take a lead in services, delivery and construction [of programs]
- in partnership with Aboriginal communities and outside agencies as necessary
- in providing access to culturally-relevant activities, being able to access to Elders, looking at different time-frames in culturally-relevant programs
- utilizing services of individuals with inherent knowing on context
- protecting victims/workers

- educate youth about pre-Contact societies; how they functioned, make teachings relevant to potential victims
- Aboriginal staff – have more
- involve young people
- Aboriginal organizations taking the lead (Friendship Centres, women’s shelters, *etc.*)

2a. Moving forward, what can we do in this area?

- more victims services in remote areas
- Aboriginal people in positions of authority
- translation services are needed
- be innovative, creative
- social networking – use Skype, Facebook, Twitter, YouTube
- services in mall where youth are comfortable
- work in a team environment and approach

- non-Aboriginal organizations being a point-of-contact is alienating, knowing what to do there?
- engage and train those service providers
- systemic change starting at school (federal directive)
- importance of finding data
- answering better if we know what already exists
- coalition-building consultation with relevant partners
- helping service providers realize what their history is and what they represent (*eg.*, Cindy Blackstock’s model of truth-telling)
- know allies and the responsibilities of non-Aboriginal people to educate their counterparts (share responsibilities)

- providing culturally-relevant training to all stakeholders (judges, policy and social services agency workers)
- funding for spiritual Elders and cultural workers as contract workers vs. permanent workers

3. What strategies or best practices exist and have been known/ shown to work in this area?

- a program “Pathways to Hope”, going out on the land, youth connecting to the land to build up protective factors so they’re approach in HT, they can say “No”
- awareness-raising and implementation of a multi-agency national strategy that involves Aboriginal people, communities
- removing individuals from the exploitative environments, to find new support networks, new friends, new spaces and location
- programs to work with people on the street, such as counseling, group nights, movies, drug addiction supports, bad date sheets, updates on missing women
- have experiential women to voice their narratives in programs and other arenas

- consulting experiential people in the area and allowing them to share their experiences publically through speaking/art projects, *etc.* GIVE THEM A VOICE.
- Strong leadership! Someone must be willing to take the next step.
- promotion of sex education done by young people (as per the AFN films)
- de-normalize ideas of prostitution, abuse, *etc.*
- sense of community and culture (Friendship Centres and programs for youth at risk)
- connecting youth with art (hip-hop, dancing, working out, and anything that builds their confidence and educates while entertaining)
- Manitoba and BC strategies of partnership with community and national/provincial level funding for “Office to Combat Trafficking”
- Manitoba and BC strategies of creation of Special Advisor on Aboriginal Women
- RAGS (Regina Anti-Gang Services) – SWAP (Street Workers Advocacy Program)
- proclamation of National and Provincial HT Day
- experiential role models; outreach
- AMC’s “Pathways to Hope” – chiefs taking public part in awareness on Sexual Exploitation

3a. Moving forward, what can we do in this area?

- in design phase of anti-HT programs and services, target approaches to specific populations, no “one size fits all”. No Pan Indian approaches, use gendered approaches
- identify specifically how HT perpetrators profit, and block those ways – the business parts of it; this also provides evidence for courts; follow the money trail, don’t just focus on the victim concentrate on the crime and perpetrator, too
- too often, the victim is named and faced, but the perpetrator is nameless and un-faced – he/she is protected from the public, and the victim is not

- we need to include, educate and honour the youth using methods that will be self-driven and culturally-relevant to them

- early education for children on HT/sexual exploitation

- parenting and to speak to your children in prevention
- providing on-going support services for children in care and development of life skills
- 24/7 drop-in centre for Aboriginal women and children and services/support for men, boys and gangs
- formulate a national RAGS (Regina Anti-Gang Services)

Appendix D: Listing of participants

- | | | |
|-----|--------------------------|---|
| 1. | Albert, Jim | Elder |
| 2. | Bruce, Angie | AMR Planning & Consulting |
| 3. | Buckshot, Christina | Aboriginal and Northern Development Canada, Office of the Federal Interlocutor for Métis & Non-Status Indians |
| 4. | Chazou-Essindi, Germaine | Status of Women Canada |
| 5. | Clement, Wendy | |
| 6. | Currie, Rosalind | Office to Combat Trafficking In Persons, Province of BC |
| 7. | Daniels, Catherine | Regina Anti-Gang Strategy (RAGS) |
| 8. | Deans, Derrick | Citizenship and Immigration Canada |
| 9. | Downing, Caitlin | Justice Canada |
| 10. | Embleton, Margaret | Aboriginal and Northern Development Canada, Office of the Federal Interlocutor for Métis and Non-Status Indians |
| 11. | Flynn, Courtney | Health Canada, First Nations Inuit & Health Branch (FNIHB) |
| 12. | Fontaine, Nahanni | Manitoba Aboriginal & Northern Affairs |
| 13. | Freedman, Guy | First Peoples Group |
| 14. | Goguen, Taunya | Public Safety Canada |
| 15. | Gonzalez, Pilar | Financial Transactions Reports Analysis Centre of Canada (FINTRAC) |
| 16. | Goodwin, Irene | Native Women's Association of Canada |
| 17. | Howson, Kim | Persons Against the Crime of Trafficking in Human (PACT) |
| 18. | Kertland, Crystal | Department of Justice Canada |
| 19. | Lambier, Kyle | Aboriginal and Northern Development Canada, Office of the Federal Interlocutor for Métis and Non-Status Indians |
| 20. | Leisher, Cathy | Financial Transactions Reports Analysis Centre of Canada (FINTRAC) |
| 21. | Jacko, Del | National Aboriginal Health Organization (NAHO) |
| 22. | Johnson, Rebecca | Aboriginal and Northern Development Canada, Office of the Federal Interlocutor for Métis and Non-Status Indians |
| 23. | Johnston, Suzanne | Canada Border Services Agency |
| 24. | MacDonald, Allan | Aboriginal and Northern Development Canada, Office of the Federal Interlocutor for Métis and Non-Status Indians |
| 25. | Mattai, Anjelina | Public Safety Canada |
| 26. | Matthew, Cheryl | Aboriginal and Northern Development Canada, Office of the Federal Interlocutor for Métis and Non-Status Indians |
| 27. | Mazur, Steve | Resource Assistance for Youth (RAY) |
| 28. | McGuire-Adams, Tricia | National Association of Friendship Centres |
| 29. | McIntosh, Allison | Justice Canada |

30. McIntyre, Dr. Sue The Hindsight Group
31. McLean, Heather Aboriginal and Northern Development Canada, Office of the Federal Interlocutor for Métis and Non-Status Indians
32. Monkman, Lorna Government of Manitoba
33. Monzon, Luis Citizenship and Immigration Canada
34. Morris, Pauline Canada Border Services Agency
35. Olsen Harper, Anita First Peoples Group
36. Pearson O.C., Hon. Landon Moderator
37. Pelletier, Lorraine Aboriginal and Northern Development Canada, Office of the Federal Interlocutor for Métis and Non-Status Indians
38. Redsky, Diane Canadian Women's Foundation
39. Reno, Dorothy Aboriginal and Northern Development Canada, Office of the Federal Interlocutor for Métis and Non-Status Indians
40. Sikka, Anette University of Ottawa
41. Singh, Cpl. Nilu Royal Canadian Mounted Police, Human Trafficking
42. Smith, Sheila Persons Against the Crime of Trafficking in Humans (PACT)
43. Taylor, Matthew Justice Canada
44. Williams, Wendy U.S. Embassy

Appendix E: Agenda

Monday, March 5, 2012

Hampton Inn Ottawa (Room H)

8:00 to 8:55	Arrival of participants/ Breakfast (provided)
9:00 to 9:10	Welcome and prayer (Jim Albert, Elder)
9:10 to 9:20	Introductions/MC, Guy Freedman, First Peoples Group
	Opening Remarks, Allan MacDonald, Director General, Office of the Federal Interlocutor for Métis and Non-Status Indians (AANDC)
9:20 to 9:40	Keynote Address – Steve Mazur
	Resource Assistance for Youth (Winnipeg)
9:40 to 10:00	Keynote Address – Male
10:0 to 10:20	Health Break (provided)
10:20 to 12:00	Plenary • Beyond Definitions
12:00 noon to 1:00	Lunch (provided)
1:00 to 2:30	Concurrent Workshops (3) <ul style="list-style-type: none"> • Protecting Victims • Reporting and Prosecuting • Prevention
2:30 to 2:45	Health Break (provided)
2:45 to 4:00	Panel Discussion (4 panelists)
4:05	Closing Prayer

Appendix F: Evaluation Form

Topic: Wahkotowin - A Policy Forum on Trafficking in Persons and Sexual Exploitation of Aboriginal Peoples, March 5, 2012; Ottawa, ON; Hampton Inn

Please rate aspects of the Forum on a scale of 1 to 5 where “Strongly disagree” = 1 and “Strongly agree” = 5

My understanding of the issues around trafficking in persons and sexual exploitation of Aboriginal peoples has increased after attending the Forum:

1 2 3 4 5

My understanding of First Nations, Inuit and Métis current challenges relative to trafficking in persons and sexual exploitation of Aboriginal peoples has increased:

1 2 3 4 5

The Forum flowed well and had a good pace:

1 2 3 4 5

The Forum met my expectations:

1 2 3 4 5

The content of the Forum was sufficient and appropriate:

1 2 3 4 5

The Forum environment was comfortable:

1 2 3 4 5

The presenters were engaging, enthusiastic and dynamic:

1 2 3 4 5

The presenters were clear on the delivery:

1 2 3 4 5

The presenters were knowledgeable on their respective subject matter:

1 2 3 4 5

The presenters created a pleasant environment and allowed for the opportunity to participate:

1 2 3 4 5

How could improvements been made in the context of area of subject matter? (*i.e.*, was there an area of TIPS that you feel was missing and unaddressed?)

What information was of most value to you? Least value?

Which presenter made the most impact on you, and why?