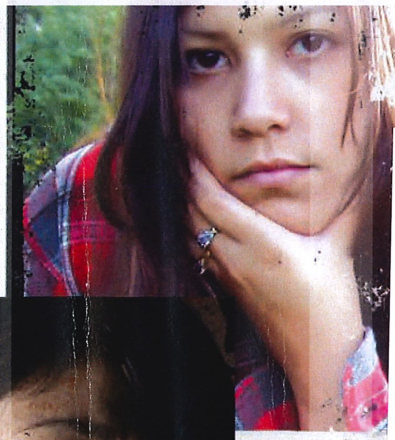




Domestic Human Trafficking for Sexual Exploitation in Canada

October 2013





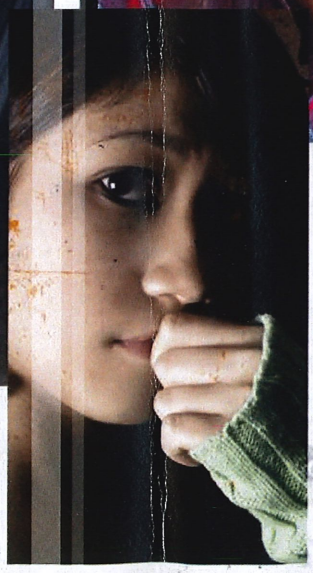


Exhibit: *National Inquiry into Missing and Murdered Indigenous Women and Girls*

Location/Phase: Part 1 2/3 St. John's

Witness: Joanne Crampton

Submitted by: Anne Turley

Add'l info: PU2-03P04P0101

Date: OCT 15 2018

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bj		5

Prepared by The Human Trafficking National Coordination Centre (HTNCC)

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EXECUTIVE SUMMARY

Since 2007, the Royal Canadian Mounted Police's (RCMP) Human Trafficking National Coordination Centre (HTNCC) has been gathering information and intelligence pertaining to human trafficking specific cases and human trafficking related cases from the RCMP and other law enforcement agencies.[1] The majority of these cases involve victims who have been trafficked domestically for the purpose of sexual exploitation.[2] Project SAFEKEEPING, an assessment of domestic human trafficking for sexual exploitation in Canada, was initiated by the HTNCC as a result of this information.

Project SAFEKEEPING serves as a baseline report that provides insight into the nature and extent of domestic human trafficking for sexual exploitation in Canada. The findings of this report identify the characteristics of traffickers and victims, the vulnerabilities of victims, and the modi operandi of traffickers. Provincial overviews of domestic human trafficking for sexual exploitation, as well as current gaps and challenges pertaining to investigating this crime, are also included in this report. Overall, the findings of Project SAFEKEEPING provide support to law enforcement, service providers, government organizations, and non-governmental organizations in their fight against this crime.

Key Findings

Traffickers[3]

- Traffickers force victims to provide sexual services to customers primarily in hotels/private residences and in adult entertainment establishments.
- Traffickers who force their victims to provide sexual services in hotels/private residences acquire clients primarily through online advertising. External agencies (escort and dancer placement agencies) are also used by traffickers to acquire clients, but not to the extent of online advertising.
- Traffickers usually take all of their victims' profits: victims typically earn between $500 and $1,000 per day.
- The majority of traffickers are male, Canadian citizens, between the ages of 19 and 32 years, and are of various ethnicities or races.
- Adult females and individuals under the age of 18 years (especially those who are female) are increasingly becoming involved as human traffickers for sexual exploitation.
- Female traffickers usually work with at least one male and this partnership is sometimes relationship-based.
- Traffickers who are under the age of 18 years commonly work in partnership with adults.

1 Human trafficking specific cases and human trafficking related cases are defined on pages four and five, respectively.
2 Domestic human trafficking for sexual exploitation is defined on page five.
3 For the purpose of this report, traffickers are individuals that were involved in the trafficking process. They may, or may not, have been charged with human trafficking specific and/or related offences.

- In approximately 50 percent of specific cases of domestic human trafficking for sexual exploitation, traffickers are associated with street gangs. However, intelligence does not indicate that human trafficking is an organized street gang activity.
- The proportion of traffickers who work alone and those who work with other individuals is almost equal. Traffickers work with friends, trusted associates, family members, boyfriends/girlfriends, or other females involved in prostitution.

Victims

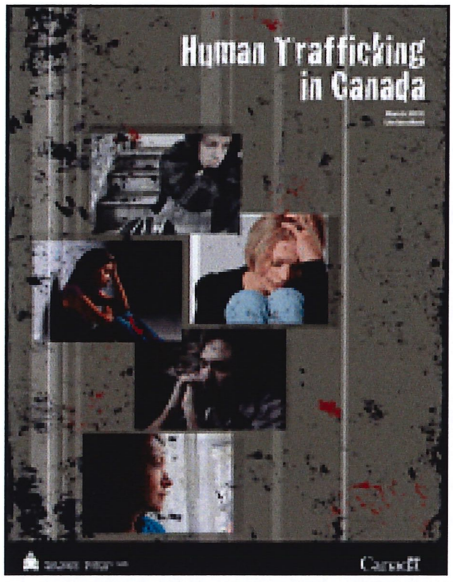
- Victims are female, Canadian citizens, between the ages of 14 and 22 years, and are typically Caucasian.
- Individuals are most susceptible to traffickers when they need financial support and/or gain, or they desire love and affection.
- Individuals who are under the age of 18 years or engaged in dancing in adult entertainment establishments and/or prostitution, are more vulnerable to recruitment by traffickers as well as their control tactics. However, anyone can become a victim of human trafficking.
- Approximately 50 percent of victims do not have previous experience dancing in adult entertainment establishments and/or prostituting.
- In recent years, individuals with relatively stable backgrounds are increasingly becoming victims of human trafficking.
- Victims who are trafficked by individuals under the age of 18 years are usually under 18 years old themselves.

Modi Operandi

- Victims usually meet traffickers directly, or through mutual friends or acquaintances. A small portion of victims meet traffickers over the Internet through social networking websites such as Facebook.
- Traffickers mostly recruit victims from hotels/residences (commonly parties), bars/clubs (including adult entertainment establishments), and the streets.
- Traffickers commonly initially gain and then maintain control over their victims by establishing trust through false friendship and romance, psychological control, threats, intimidation and violence.
- Traffickers often move their victims within and across provinces. Major hubs include the provinces of Ontario, Quebec, British Columbia, and Alberta, with victims commonly trafficked between the neighbouring provinces.

INTRODUCTION

Human trafficking is a form of modern day slavery and a violation of human rights, and affects men, women, and children all over the world. There have been many reports published estimating the number of human trafficking victims worldwide, but the true number remains unknown. The United Nations Office on Drugs and Crime (UNODC) reports that 27 percent of the victims detected globally were trafficked domestically[4] within more than 60 countries worldwide.[i] Additionally, the number of domestic human trafficking cases worldwide has increased in recent years: from 19 percent in 2007 to 31 percent in 2010.[ii]



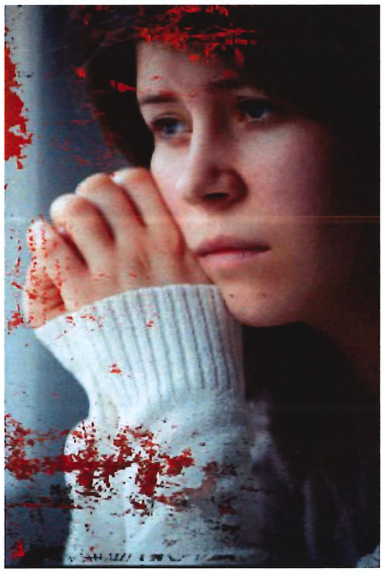
Human trafficking exists and is widespread in Canada.[iii] The Royal Canadian Mounted Police's (RCMP) Human Trafficking National Coordination Centre (HTNCC), created in 2005, serves as a focal point for law enforcement and other service providers in their fight to combat and disrupt human trafficking in Canada. One of the HTNCC's main priorities is to coordinate and disseminate intelligence. In 2010, the RCMP's Criminal Intelligence Program, in collaboration with the HTNCC, released Project SECLUSION – Human Trafficking in Canada. The main objective of Project SECLUSION was to describe the overall situation of human trafficking across the country. It was the first assessment of its kind, serving as a baseline for all Canadian law enforcement, service providers, government organizations, and non-governmental organizations (NGOs). Project SECLUSION focused mainly on international human trafficking[5] in Canada.

Numerous human trafficking investigations have been brought to the attention of the HTNCC since the release of Project SECLUSION, and warrant further analysis. The majority of these cases involve victims who have been trafficked domestically for the purpose of sexual exploitation.[6] The extent of this crime and the number of victims remains underreported, despite the number of human trafficking investigations handled by the courts, several of which resulted in convictions. Project SAFEKEEPING identifies the nature and extent of domestic human trafficking for sexual exploitation in Canada as well as new trends, vulnerabilities, challenges, and gaps, with the overall goal of providing support to law enforcement, service providers, government organizations, and/or NGOs in their fight against this crime.

4 This is defined in the UNODC report as victims trafficked within the same country.
5 The victim of human trafficking who, in the process of being trafficked, crossed an international border.
6 See page five for the definition of domestic human trafficking for sexual exploitation.

DEFINING HUMAN TRAFFICKING

Definition and Elements of Human Trafficking Specific Offences



Human trafficking is governed by the Criminal Code of Canada (CC) and the Immigration and Refugee Protection Act (IRPA). With respect to domestic human trafficking,[7] section (s.) 279.01 CC, s. 279.011 CC, s. 279.02 CC, s. 279.03 CC, and s. 279.04 CC are applicable.[8] Section 118 of the IRPA (trafficking in persons offence) refers only to cases of international human trafficking, which are not discussed in this report.

With respect to the CC human trafficking legislation, it is only necessary to prove that one of the acts (e.g. recruitment, transportation, transfer, etc.) described in s. 279.01 CC and s. 279.011 CC occurred.

Traffickers engage in conduct that cause individuals to provide, or offer to provide, labour or a service. Individuals are exploited when it is deemed that the traffickers' behaviour could reasonably be expected to cause individuals to believe that their safety, or that of someone known to them, would be compromised if the labour or service was not offered or provided. Victims of human trafficking do not need to say that fear is what kept them providing the labour or service. For example, victims who have endured long term instability, abuse, psychological control, etc., may normalize their situation and, therefore, not identify themselves as being fearful. In similar situations, individuals can still be deemed as trafficked victims, if any reasonable person put in the victims' situation would believe their safety, or that of someone they know, would be threatened if the service or labour, expected by the traffickers, was not offered or provided.

Whether victims initially consent to the labour or service is irrelevant. Many victims of domestic human trafficking for sexual exploitation were aware that sexual services in exchange for money would be involved and agreed to engage in this type of activity. In these instances, the victims became trafficked when certain circumstances changed (i.e. when the victims were coerced, controlled, prevented from stopping their activities, had to follow strict rules, etc.). The victims then felt they could not leave because of the means used by their traffickers to ensure compliance. Hence, victims continued providing sexual services under their traffickers' direction and control.

7 This is defined on page five.
8 The CC human trafficking legislation is outlined in *Appendix A*.

Victims do not have to be moved by their traffickers from one location to another in order to meet the CC definition of human trafficking. Although many victims of domestic human trafficking for sexual exploitation are moved by their traffickers between provinces or between cities within a province, other victims are not.

For the purpose of this report, human trafficking specific offences refer to s. 279.01 CC, s. 279.011 CC, s. 279.02 CC, and s. 279.03 CC. Charges under these sections encompass human trafficking specific charges. Human trafficking specific cases refer to those where at least one of the human trafficking specific charges is laid. Law enforcement usually also pursues human trafficking related offences in these cases (discussed in next section).

Human Trafficking Related Offences/Charges

Human trafficking related offences/charges[9] pertain to those that encompass aspects of trafficking. In human trafficking related cases, elements of human trafficking are present but, for many reasons, investigators are unable to secure human trafficking specific charges against the accused. Often, the victims are uncooperative or sometimes human trafficking specific charges are not considered by law enforcement or prosecutors due to the lack of awareness. Instead, human trafficking related charges are pursued. In most cases, law enforcement and/or prosecutors look at each case and the relevant evidence from a global perspective and lay the appropriate charges that are supported by the evidence and where there is a reasonable expectation of a conviction.

Domestic Human Trafficking for Sexual Exploitation

In Canada, the majority of victims who are trafficked domestically are trafficked for the purpose of sexual exploitation. In domestic human trafficking situations there are no international cross-border movements; all stages of the trafficking process, including the recruitment of victims, occur within Canadian borders. Victims can be moved across or within cities or provinces. The legal status of victims in domestic trafficking cases is irrelevant. Victims can be Canadian citizens, visitors to Canada, workers on a permit, students on a visa, etc.

In domestic human trafficking for sexual exploitation, traffickers force victims to provide sexual services to customers, usually in exchange for money. Sexual services include lap dancing,[10] masturbation, fellatio, and sexual intercourse. Additional services, commonly referred to as extras, include Greek Style (i.e. anal penetration) and Girlfriend Experience (GFE)/Porn Star Experience (PSE) (i.e. sexual act without a condom), and are encouraged by traffickers as these are charged at a higher rate.

9 Human trafficking related offences include, but are not limited to, s. 212 CC (Procuring), s. 266 CC (Assault), s. 271 CC (Sexual Assault), s. 279 CC (Kidnapping), s. 210 CC (Keeping Common Bawdy-House), s. 264.1 CC (Uttering Threats), s. 346 CC (Extortion), and s. 465 CC (Conspiracy).

10 This refers to the removal of clothing allowing physical contact by customers.

Traffickers force their victims to provide sexual services in various locations, primarily hotels[11] and/or private residences,[12] or adult entertainment establishments, namely exotic dance clubs.[13] Traffickers tend to use hotels/private residences more often than exotic dance clubs; private residences may include those of the client, the trafficker, or the victim. Multiple venues (i.e. more than one hotel/private residence, or exotic dance club) are frequently used by traffickers to traffick victims; however, most victims provide sexual services within only one type of these locations.

Less often, traffickers force victims to provide sexual services in massage parlours and in clients' vehicles. These massage parlours are mostly legitimate businesses that are typically owned and operated by people other than traffickers.

Human Trafficking Versus Prostitution and Sexual Exploitation

Human Trafficking Versus Prostitution

Prostitution involves the exchange of sexual services for payment. In Canada, prostitution occurs in a variety of locations. The vast majority of prostitution has moved off the streets making enforcement more difficult, though some individuals continue to solicit clients in this manner in various parts of the country. Sexual services are now being offered, clandestinely, to paying customers behind closed doors in a variety of establishments, including private residences, commercial accommodation (e.g. hotels, motels, inns), and businesses (e.g. escort agencies, exotic dance clubs, massage parlours). These businesses acting as fronts for prostitution may, or may not, be legitimately operated.

Numerous aspects surrounding prostitution are illegal in Canada, and are covered predominately by s. 213 CC (Offence in Relation to Prostitution), as well as s. 210 CC (Keeping Common Bawdy-House),[14] s. 211 CC (Transporting Person to Bawdy-House), and s. 212 CC (Procuring).

Like prostitution, human trafficking usually involves payment in the form of money for the sexual services. Although a financial or other material benefit is an element of human trafficking for s. 279.02 CC, it is not necessary to prove the other human trafficking offences. The main distinguishing factor between human trafficking and prostitution is the element of exploitation, as defined in s. 279.04 CC. Not all individuals engaged in prostitution are victims of human trafficking; however, all trafficked victims for sexual exploitation are forced into prostitution.

11 This includes motels and inns.
12 This includes condos, apartments, single homes, etc.
13 According to the Canadian Oxford Dictionary (2004), an exotic dance club is defined as a nightclub or other establishment where striptease performances are given.
14 Common bawdy-house is defined as a place that is kept, occupied, or resorted to by one or more persons for the purpose of prostitution or the practice of acts of indecency (s. 197, 2012 MARTIN'S Annual Criminal Code - Police Edition).

Human Trafficking Versus Sexual Exploitation

Human trafficking is commonly merged and used synonymously with sexual exploitation; however, the two criminal activities are quite distinct. Sexual exploitation is defined in s. 153 CC and pertains only to young persons.[15] This offence deals with the sexual conduct towards a young person committed by a person who is in a position of trust, authority, or dependency or who is in a relationship with the young person. Human trafficking is an offence committed against a person of any age for the purpose of exploiting them or facilitating their exploitation, as defined in s. 279.04 CC.

Traffickers for Sexual Exploitation Versus Pimps

Pimps are commonly described as males or females acting in the position of managers for individuals who are engaged in prostitution. The Game is a term used to describe the pimp/prostitute subculture, the unique relationship involved, and the associated rules.[iv] The term pimping refers to the act of pimps controlling aspects of the sexual services offered by other individuals with the overall intention of increasing profit. Pimping commonly involves services such as advertising sexual services, arranging dates,[16] providing transportation, and providing locations for sexual services to be provided. Pimps and individuals prostituting enter into working agreements. Pimps may approach individuals already prostituting, offering to provide them with their services, or may recruit individuals without prior experience to engage in prostitution.

Most of the illegal aspects associated with pimping are covered by s. 212 CC (Procuring), which carries a penalty of up to 10 years in prison.

Traffickers for sexual exploitation are considered as pimps, as they typically engage in pimping activities. Not all pimps are traffickers for sexual exploitation; however, the majority of pimps employ control tactics that would categorize them as human traffickers according to the CC. A pimp becomes a trafficker for sexual exploitation when the pimp engages in some form of conduct that results in a reasonable expectation that if the person involved with the pimp does not offer or provide a sexual service then the safety of that person or of someone they know may be compromised.

15 Young person is defined as a person who is 16 years of age or more but under the age of 18 years.
16 This refers to individuals meeting clients in order to exchange sexual services for money.

METHODOLOGY

The findings of this report were derived from multiple sources. The analysis was guided by the definition of human trafficking in the CC.

The HTNCC has been gathering information and intelligence pertaining to domestic human trafficking for sexual exploitation in Canada since 2007. Domestic human trafficking cases for sexual exploitation (both specific and related), received between 2007 and April 2013, were reviewed and analyzed for this report: 132 human trafficking specific cases and at least 100 human trafficking related cases were collected.

The findings presented in the analysis section are derived from intelligence and the human trafficking specific and related cases. The findings presented in the section entitled *Human Trafficking Related Cases* differ from the other findings in the analysis section.

Various databases were searched for additional intelligence and occurrences between January 2010[17] and April 2013. In addition to human trafficking, other key terms such as procuring, forced prostitution, living on the avails of prostitution, and bawdy-house were used to query various databases in order to capture the majority of cases of domestic human trafficking for sexual exploitation.

Interviews were conducted across the country with investigators and analysts from RCMP and other law enforcement agencies, as well as service providers such as NGOs, in order to gather additional information and intelligence on domestic human trafficking for sexual exploitation.

Limitations

The overall findings presented in this report are based on intelligence, domestic human trafficking cases for sexual exploitation that have been reported to law enforcement, and cases that made it through the court system. The findings do not encompass anecdotal information that has not been corroborated or the many undetected cases. Human trafficking cases may not be detected primarily due to the following: the crime's hidden nature; the reluctance of victims to come forward and cooperate with police; and, investigations exhibiting elements of human trafficking resulting in other offences being pursued by law enforcement, due primarily to the lack of awareness.

The statistical analysis presented in this report is based exclusively on the 132 specific cases of domestic human trafficking for sexual exploitation.[18] Since human trafficking is underreported, the numbers can be misleading and should not be taken as a true representation of the extent and/or prevalence of domestic human trafficking for sexual exploitation in Canada. The statistics do, however, provide a general overview of the situation across the country.

17 Project SECLUSION was released by the RCMP in 2010; this report analyzed human trafficking investigations, information, and intelligence from 2005 to 2009.

18 See *Appendix B* for the statistical analysis.



The human trafficking related cases that have been collected by the HTNCC represent a very minimal estimate of the true number of cases across the country that exhibit elements of this crime. These cases are numerous, and are extremely difficult to track and monitor. Investigations pertaining to prostitution, pimping, bawdy-houses, procuring, forcible confinement, assault, sexual assault, kidnapping, etc., may exhibit elements of human trafficking. Law enforcement investigating human trafficking-related activities has countless investigations that may or do exhibit these elements. Given the above, it is not feasible for every law enforcement agency to keep track of all these cases and share them with the HTNCC.

ANALYSIS

Traffickers

Motivation

Potential profit made by one trafficker who forces one vitim to provide sexual services to clients every day:

Per week ..... $3,500 - $7,000
Per month... $14,000 - $28,000
Per year .... $168,000 - $336,000

Large profits are the primary motivation for individuals to engage in human trafficking. Human trafficking is a unique crime in that the commodity, the victims, can be trafficked over many years. Typically, victims earn between $500 and $1,000 per day by providing sexual services every day of the week. Investigations have shown that up to $2,000 can be made by one victim in one day. Traffickers typically exploit a single victim; however, in many cases law enforcement was aware of or believed there to be more victims.

Traffickers typically keep all of the proceeds; however, some victims are permitted to keep a portion. Usually at the end of each day or after each date, victims are required to hand over the money earned. In extreme situations, traffickers occasionally search their victims and their belongings for any hidden money. Victims with additional sources of income, such as welfare and/or child supplement benefits, are sometimes forced by their traffickers to also hand over this money.

The Vice, Narcotics, and Street Gang Investigation Unit of Service de Police de la Ville de Montréal's West Region laid human trafficking specific and related charges in 2012. It is alleged that the accused immersed himself in the victim's life after they met on the street in the victim's neighbourhood. The victim had debts to pay off so the accused offered his assistance. The victim began dancing in various exotic dance clubs within Montreal, Gatineau, Ottawa, and Niagara Falls. The accused used physical and sexual abuse, as well as threats, to maintain control over the victim. Additionally, the victim was forced to get a tattoo of the accused's street name, her passport was taken, and she had to follow strict rules. Over an approximate five-month period, the victim provided sexual services to clients 12 hours per day, six days per week for the accused. The victim estimated she earned at least $1,000 per day and an overall profit of $100,000. The victim's entire earnings were handed over to the accused.

Characteristics

While traffickers are usually male, females are increasingly becoming involved in human trafficking. In 2011, the number of females charged with human trafficking specific offences increased compared with previous years. This number remained stable in 2012. As of April 2013, 25 females have been charged with human trafficking specific offences in 21 cases.[19]

In 2008, Gatineau Police Service was the first ever to lay human trafficking specific charges against a female. Laura EMMERSON recruited three females, two of whom were minors, forced them to provide sexual services and kept all of their earnings. EMMERSON befriended one of the victims outside a homeless shelter and offered her a place to stay. The victims were confined to an apartment in Gatineau, Quebec and were repeatedly threatened and physically assaulted by EMMERSON to ensure compliance. In 2009, EMMERSON pleaded guilty to human trafficking specific and related offences; she was sentenced to eight years for each of her victims with respect to human trafficking and additional time for other offences related to the persons under the age of 18 years.

Female traffickers usually work with at least one male. This partnership is sometimes relationship-based. The role of females and males in the trafficking process varies. At times, both are equally involved in the exploitation of victims. In other cases, females leave the enforcement to the males and take on specific roles such as the recruitment, grooming, or organizing and facilitating the sexual services offered by victims. Female traffickers that are more dominant use males, to a lesser extent, to control and exploit victims. For example, victims have been sexually assaulted by males known to the female traffickers. Female traffickers occasionally work alone.

The majority of traffickers are between the ages of 19 and 32 years. Underage[20] males, and especially underage females, are increasingly becoming involved in human trafficking. Since 2011, six underage males and eight underage females have been charged with human trafficking specific and related offences—the youngest of whom were aged 16 and 15 years respectively.

In 2011, the Service de Police de la Ville de Montréal (Child Sexual Exploitation Unit) was the first to lay human trafficking specific charges against an underage person. The 16-year-old victim was a runaway and met the 17-year-old female accused at a bus stop. After learning of the victim's situation, the accused offered her a place to stay, told her she would be taken care of and would be treated as though she was her little sister. Once at the residence, the victim was sexually assaulted by several males. The victim was told by the accused she was going to be pimped out. The victim provided sexual services to customers under the direction and control of the accused and turned over the profit. In 2011, the human trafficking specific charges were dropped as the accused pleaded guilty to procuring.

19 The females accused were also charged with human trafficking related offences.

20 This refers to under the age of 18 years.

Underage traffickers commonly work in partnership with other adults and almost always exploit underage victims. In cases where adults are involved, the minors[21] commonly facilitate the recruitment of victims, while the adults commonly enable other aspects of the trafficking process. Minors are successful in recruiting underage victims because of their common age. This is ideal for traffickers as youth[22] tend to be more vulnerable and are, therefore, more easily controlled and exploited. This method also allows for the recruitment and subsequent exploitation of multiple victims. Underage traffickers occasionally work alone.

There is only one case of domestic human trafficking for sexual exploitation involving multiple underage female accused. It is alleged that three females, two aged 15 and one aged 17 years, befriended several victims and recruited them over Facebook. The victims were between the ages of 13 and 18 years. Through threats and violence, some of the victims were forced to attend private residences in the Ottawa area for the purpose of providing sexual services to clients. In 2012, the three females were arrested by the Ottawa Police Service and were charged with both human trafficking specific and related offences.

Traffickers are primarily Canadian citizens and are of various ethnicities or races such as Caucasian, Black, Asian,[23] Middle Eastern, Hispanic, Aboriginal,[24] and multi-racial. Some traffickers, originally from countries in, for example, Asia, Africa, the Caribbean, or the Middle East, hold a different status while residing in Canada, such as refugee, landed immigrant, or permanent resident.

Criminal Involvement

Traffickers often have a history of criminal activity. Many have exhibited violence and have been involved in offences pertaining to weapons, threats, and activities such as theft, robbery, drug trafficking/possession, sexual assault, and assault. Additionally, previous involvement in prostitution-related activities is common among traffickers, several of whom have been charged and/or convicted for these offences. After facing charges of human trafficking, numerous traffickers continue to be involved in prostitution-related activities and, at times, even continue to traffick additional victims.

Street Gang Involvement

Many street gang members and/or associates are engaged in prostitution-related activities and human trafficking. Traffickers are associated with street gangs in approximately 50 percent of human trafficking specific cases. Street gang members or associates become involved in human trafficking due to the significant profit that results from the exploitation of victims. This profit is retained by traffickers for their own individual monetary gain, and does not benefit the street gang as a unit. Therefore, human trafficking is not considered a street gang activity.

21 Minor(s) refer(s) to under the age of 18 years.
22 This includes individuals who are between the ages of 12 and 17 years.
23 This refers to countries in the continent of Asia.
24 This includes First Nations, Métis, and Inuit.

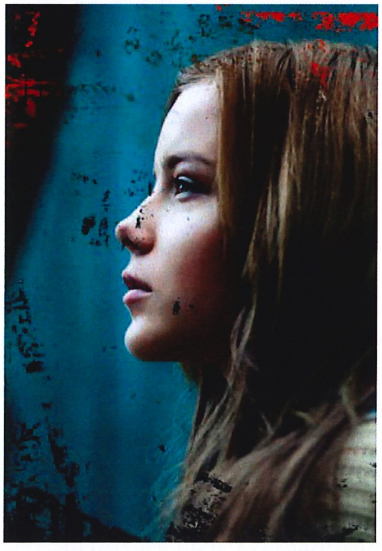
Organized Crime Involvement

To date, law enforcement has not laid criminal organization charges in cases of domestic human trafficking for sexual exploitation. The proportion of domestic traffickers who work alone and those who work in partnership with at least one other individual (e.g. friends, trusted associates, family members, boyfriends/girlfriends, or other females involved in prostitution) is almost equal. In the majority of cases involving multiple individuals, the groups are not sophisticated. However, these groups are loosely organized whereby separate individuals are responsible for different aspects, such as the recruitment of victims, grooming victims, organizing the sexual services offered by victims, watching over victims, and enforcing rules to ensure the victims' compliance.

Limited information/intelligence indicates that members and/or associates of Outlaw Motorcycle Gangs (OMGs) traffick females for sexual exploitation. Additional intelligence is required to properly assess the extent of OMGs involvement in human trafficking activities.

Victims

Characteristics



Victims in cases of domestic human trafficking for sexual exploitation, to date, are female, usually between the ages of 14 and 22 years. Approximately 40 percent of victims are underage; in one case, the victim was as young as 13 years old.

Traffickers primarily recruit victims who are Canadian citizens. Only a small portion of victims were in Canada as visitors, permanent residents, landed immigrants, workers on visa, or illegal immigrants when they were recruited by traffickers. In these cases, the victims were originally from locations such as Asia (China, Taiwan, Philippines), Western and Eastern Europe (England, France, Poland), or the United States. Victims are typically Caucasian, but some are of other races or ethnicities such as Black, Asian, Aboriginal, Middle Eastern, Hispanic, or are multi-racial.

Vulnerabilities

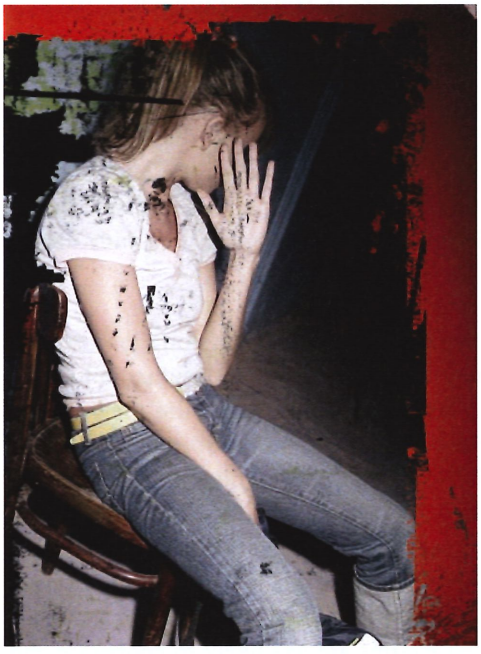
Anyone can become a victim of domestic human trafficking for sexual exploitation, though certain groups are more vulnerable. Traffickers prey upon the needs and vulnerabilities of individuals, such as the need for financial support and/or gain and the desire for love and affection—two main vulnerabilities that make individuals most susceptible to traffickers. Many victims are in need of money to support their lifestyle or their families, or to assist with financial difficulties such as accumulated debt and large education fees. In some cases, money is needed to support the victims' drug dependency. Many victims allow themselves to become completely consumed by the attention and affection that traffickers often use at the onset. It is common for victims to fall in love with traffickers, willing to do anything to maintain the relationship. Due to this vulnerability, trafficked victims are less likely to cooperate and identify themselves as victims to police.

Not all victims come from unstable homes, troubled pasts, or are entrenched in high-risk lifestyles. Females with relatively stable backgrounds are increasingly becoming victims. In recent years, there have been more victims that come from reasonably stable homes, are enrolled in educational institutions, and/or have established employment.

The Vice, Narcotics, and Street Gang Investigation Unit of Service de Police de la Ville de Montréal's West Region laid human trafficking specific and related charges against Iman HOSSEINI in 2010. Prior to meeting HOSSEINI in a bar, the victim finished her University degree, was working in a related profession, and did not have any experiences providing sexual services in exchange for money. After a romantic relationship developed between the victim and HOSSEINI, the victim was told that if she wanted to be with HOSSEINI she had to start dancing in an exotic dance club. The victim was extensively controlled through physical abuse, death threats, and threats to reveal her dancing to her family. The victim provided sexual services to customers under HOSSEINI's control for approximately eight months and handed over all of her earnings. It is estimated HOSSEINI made approximately $200,000. In 2012, HOSSEINI was found guilty of all charges and was sentenced to five years in prison.

Vulnerable Groups

The two groups most vulnerable to traffickers are individuals who are underage and/or are engaged in dancing[25] and/or prostitution. Other groups also vulnerable to traffickers include individuals who have drug and alcohol dependencies or mental health and other disabilities, and Aboriginal females.



Youth

A large portion of victims are minors. For many reasons, youth are more susceptible to the recruitment and control tactics commonly employed by traffickers. The need to be loved is one of the most common vulnerabilities among this group. Youth are also generally quite naïve. Many young individuals yearn for a lavish lifestyle including brand name clothing, extravagant outings, expensive possessions, rides in luxurious cars, etc. Traffickers prey on these desires and other vulnerabilities in order to recruit and ultimately exploit underage victims.

Female youth may not be able to realize the exploitive situation they are in or the true intent of traffickers. They are constantly exposed to the hyper-sexualization of females through the entertainment industry (e.g. television, movies,

25 For the purpose of this report, dancing refers to dancing in an exotic dance club.

celebrities), magazines, and the music business (e.g. music videos, song lyrics, images portrayed by musicians). In addition, society often falsely portrays pimps and the idea of pimping as acceptable and desirable. Female youth may become desensitized to the realities and potential dangers of dressing and portraying themselves in a certain way and associating with individuals who overtly advertise large sums of money, lavish assets, or act as pimps.

Runaways[26]

Many victims are runaways (chronic, occasional, or single occurrence) from group homes or their primary caregivers' residences. Some youth are surrounded by or experience physical and sexual abuse, drugs, prostitution, and many have difficult relationships with one or both of their parents. These factors make youth more vulnerable to running away from their situations. Youth are sometimes placed in group homes, with other family members, or in foster care due to instability in the home. In these circumstances, youth may remain troubled thereby increasing their risk of becoming a runaway. Runaways have many needs that traffickers can easily prey upon including an established residence, money, food, attention, and someone to love and take care of them.

Persons Dancing and/or Prostituting

Approximately 50 percent of victims were already dancing and/or prostituting before they met their traffickers. Females within this group are more easily recruited and controlled since they are already engaged in these activities.

If trafficked victims are not willing to embrace assistance and support for exiting prostitution, they remain extremely vulnerable to potential recruitment by other traffickers. A few females have been re-victimized by more than one trafficker. Not all victims who come forward and report their exploitive situation successfully exit their circumstances. For some victims, a life providing sexual services is the only option they see, because of the immense control and abuse they have experienced at the hands of their traffickers.

Illegal Drug and Alcohol Dependencies

Some victims have drug and, to a lesser extent, alcohol dependencies. Traffickers take advantage of addicted individuals by using drugs and alcohol to build trust with their victims, facilitate their sexual services, control them, and ensure their compliance.

Mental Health and Other Disabilities

A few victims have mental health disorders and other disabilities that may hinder judgment, increase risk-taking behaviour, and limit the ability to understand traffickers' intentions or exploitive situations. Although not targeted directly by traffickers, mental health disorders and other disabilities such as Attention Deficit Hyperactivity Disorder (ADHD), Fetal Alcohol Spectrum Disorder (FASD), and learning disabilities are a vulnerability that traffickers take advantage of in order to control and exploit their victims.

26 This includes persons under the age of 18 years.

Aboriginal Persons

Several specific cases of domestic human trafficking for sexual exploitation have involved Aboriginal victims, one of which is highlighted below.

> *Halton Regional Police Service laid human trafficking specific and related charges against Isaiah OMORO in 2012. The underage victim ran away from an Aboriginal community and later met OMORO in a bar. After some time, OMORO brought the victim to a hotel and posted advertisements on the Internet offering the victim's sexual services. In order to ensure compliance, OMORO told the victim she owed him and used violence when the victim wanted to leave or spend time with her friends. The victim provided sexual services to clients in hotels and the money earned was handed over to OMORO. In 2013, the human trafficking specific charges were withdrawn as OMORO pleaded guilty to human trafficking related offences.*

The circumstances surrounding the Aboriginal victims in these human trafficking specific cases and how they became trafficked coincide with the trends observed in all other human trafficking specific cases. The number of Aboriginal victims in these cases does not comprise a large portion of the total number of victims in all cases where human trafficking specific charges were laid. However, given that the Aboriginal population in Canada is approximately four percent of the total Canadian population, the number of trafficked Aboriginal victims identified in these cases represents a higher proportion of victims.[v]

Approximately 13 percent of all Aboriginal women aged 15 and older have stated they have been violently victimized (includes sexual assault, physical assault, and robbery) and Aboriginal women were almost three times more likely than non-Aboriginal women to report having been a victim of a violent crime.[vi] More specifically, women between the ages of 15 and 34 years represented close to two-thirds of female Aboriginal victims.[vii] In approximately 79 percent of violent incidents, Aboriginal women reported being victimized by a male other than a current or former spouse.[viii]



Due to the violence, abuse, and exploitation that Aboriginal females endure, many turn to substance abuse. Some enter or are forced into prostitution as a means to support their addiction, making them extremely vulnerable to becoming victims of human trafficking.

It has been observed, predominately in Manitoba and some Northern locations in various provinces, that Aboriginal females are engaged in prostitution as a way to facilitate their drug dependencies. Sometimes pimps and gangs are involved. Many Aboriginal females are trapped in a cycle of sex for drugs which may hinder their ability to realize exploitive situations and render them less likely to cooperate with police. In these cases, it is difficult to prove the elements of human trafficking as victim cooperation plays a key role in human trafficking cases.

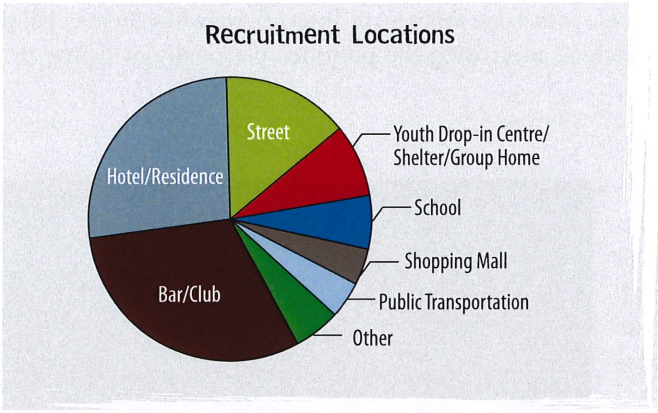
Modi Operandi

Recruitment Locations

As depicted in Chart 1, traffickers meet victims primarily:

- at hotels and residences[27]
- at bars and clubs[28]
- on the street

Chart 1



Traffickers recruiting from within group homes may be an emerging trend, as demonstrated by the following cases where victims met and became friends with one of their accused while they were all wards of the group home. In two cases, the recruitment occurred within the group home. In another case, the victim had left the group home and was subsequently recruited over the Internet. In all cases, the victims were enticed to provide sexual services through the promise of making lots of money.

Traffickers sometimes recruit victims from within schools, which may also be an emerging trend. In one recent case, a fellow student used romance to recruit the victims from within their school. The victims each fell in love and were subsequently passed on to the other male traffickers who were the pimps/traffickers. The victims felt important as they had been upgraded, and began providing sexual services to paying customers within private residences and massage parlours. The victims were forced into compliance through rules, intimidation, and violence.

Methods of Recruitment

The majority of victims meet traffickers through mutual friends, acquaintances, or they meet directly. Victims may also be introduced to traffickers by family members, strangers, or other victims. In some cases, these introductions are orchestrated by traffickers.

Victims occasionally meet traffickers through social networking websites, such as Facebook. In such cases, either the traffickers make the initial contact with the victims through a friend request, or the victims are introduced to the traffickers or accomplices through mutual friends. Overall, the number of cases where victims have met traffickers over Facebook is minimal; however, the majority of these cases occurred in 2011 and 2012, which may indicate an emerging trend.

27 Traffickers and victims are commonly at parties when they meet at these locations.
28 This includes exotic dance clubs.

At times, victims recruit other victims on behalf of their traffickers. This usually occurs when victims are in the initial stages of the trafficking process and have not yet become exploited, or they do not fully realize the seriousness of the situation because of the kindness and generosity of their traffickers. Victims convey to their friends that they are being well taken care of, making lots of money, and that their friends too could acquire the same lifestyle if they were to become involved with their traffickers.

Traffickers occasionally advertise false employment opportunities, usually in the music business and as waitresses, models, or masseuses, with large salaries on Internet websites such as Kijiji and Craigslist, or use other means such as advertising the positions personally or listing the advertisements in the newspaper.

Control Tactics



Traffickers use various tactics to gain initial control over their victims. Most commonly, traffickers establish trust with their victims through false friendship and romance, use psychological control, or impose debts.

Traffickers constantly use tactics, primarily psychological control, intimidation, threats, and violence, to maintain control. Fines, drugs and alcohol, exit fees, and branding are also used. Typically, traffickers escalate the use of these control tactics when their victims show disobedience, which may include not making enough money, not handing over the money, talking back, breaking any rules, refusing to perform sexual services, or wanting to leave. These control tactics are also used by traffickers to ensure victims do not divulge their situation to anyone, especially to law enforcement.

Establishing Trust Through False Friendship and Romance

Establishing trust is the primary initial control tactic used by traffickers; this could take days or years. Traffickers typically establish trust with their victims through the development of friendships and/or intimate relationships. Victims and traffickers often exchange contact information and begin to communicate through text messages, over the phone, and through social networking websites such as Facebook. To make their victims fall in love and further gain their trust, traffickers frequently use romance such as showering their victims with compliments, lavish gifts and outings, and promising them a wonderful life together.

Traffickers commonly prey on the needs and vulnerabilities of victims to further gain trust. Throughout the initial relationship, victims often reveal hardships or traffickers learn of their vulnerabilities. Traffickers play on these vulnerabilities by offering assistance such as providing a residence, clothes, drugs or promising good employment.

Juan Pablo URIZAR met the victim in a bar and a friendship developed. At the beginning of their relationship, URIZAR was very kind toward the victim. He would shower her with gifts, take her out for dinner, buy her clothing, and take her to get her hair done. URIZAR drove a fancy car, flaunted bundles of cash, and told the victim he worked for his father's company. The victim was particularly susceptible to URIZAR's gifts as she did not have a stable income, her home life was troubled, and her parents were unable to provide her with such a lavish lifestyle. The victim asked URIZAR what she had to do to earn as much money as he did. URIZAR subsequently suggested she try dancing in an exotic dance club. The victim agreed as she was in love with URIZAR, trusted him, and was in a vulnerable situation as she needed money. Within the next approximate seven months the victim provided sexual services for money under the control of URIZAR and was repeatedly threatened and assaulted verbally, physically, and sexually. In 2009, URIZAR was found guilty of both human trafficking specific and related offences. He was sentenced to six years in prison.

Grooming

A large portion of victims have little or no previous experience dancing and/or prostituting; therefore, many traffickers take on the role of grooming their victims. Traffickers often provide their victims with esthetic services and provocative attire. Victims are frequently coached on their dress, performance while dancing or prostituting, and their interaction with customers, by traffickers, other females engaged in dancing and/or prostituting, or other victims. Traffickers occasionally provide drugs and alcohol to victims to reduce their inhibitions.

At times, traffickers desensitize victims to sexual services in order to more easily convince/manipulate them to offer these acts within exotic dance clubs and hotels/private residences. Some traffickers will progressively introduce victims to prostitution by making them dance for a while before starting to provide sexual services. Traffickers, or their friends or associates, will engage in sexual acts with the victims on the pretext of a try-out and/or as a means to desensitize the victims to certain sexual acts.

Controlling Sexual Services

Traffickers control numerous aspects of how their victims provide sexual services: choosing the locations where victims are forced to provide sexual services; acquiring clients for victims; arranging dates for victims; setting the victims' quotas; monitoring victims; and, setting strict rules for victims to follow. In addition, traffickers may arrange for exotic dancer licenses and/or provide fake identification to victims who are underage. Many traffickers provide victims with condoms.

Online advertising is the primary means used by traffickers to acquire clients for victims who are forced to provide sexual services in hotels/private residences. In the past, *Craigslist.com* was the primary Internet website used, but *Backpage.com* has become a popular website for this purpose. Typically, traffickers create (posting photos of victims or other females, writing captions) and post the advertisements.

Many traffickers force victims to use external escort agencies for acquiring clients. Some traffickers operate their own escort agency. At times, traffickers also use placement agencies to arrange for victims to be in exotic dance clubs.

A small portion of victims are forced into street-level prostitution by traffickers, acquiring customers primarily from the track.[29]

Prices for sexual services set by traffickers:

Masturbation	$20 - $300
Fellatio	$40 - $300
Sexual Intercourse	$60 - $500
15 minutes	$60 - $100
Half an hour	$80 - $200
Full hour	$120 - $500
Extras (GFE, PSE, etc.)	$50

Traffickers typically arrange the victims' dates: booking hotel rooms for incalls; directing their victims to outcalls; and, setting the prices for sexual services.[30] Many traffickers provide separate cell phones, which are used to ensure direct and constant contact with the victims. In order to maintain control, traffickers commonly arrange transportation for their victims to and from exotic dance clubs, hotels, or private residences.

Traffickers often provide their victims with a quota, an amount of money they must make: often victims are obligated to earn $1,000 per day. Victims are occasionally required to service a certain number of customers per day. The majority of victims are forced to provide sexual services between 10 and 14 hours per day, but many are obligated to be accessible 24-hours per day, 7 days per week, and are rarely provided with any time off. Some victims are required to service customers even during their menstrual cycle or pregnancy.

Victims are typically obligated to maintain regular contact with their traffickers; they are often physically watched and required to always be available by phone. Many traffickers require that their victims report details of their dates, such as their whereabouts, number of customers, amount of money earned, etc., on an ongoing basis, and sometimes even hourly.

Many traffickers impose strict rules that victims are required to follow every day. Common rules include the following:

- No talking to or making eye contact with certain males
- No talking to anyone other than customers, including friends and family
- No going anywhere or spending money without permission
- No drinking or doing drugs
- No talking to police
- No drawing attention to yourself
- Dress a certain way
- Check-in throughout the night
- Work hard and make money
- Hand over all the money
- Be loyal

29 The track is a known area that is frequented by individuals offering sexual services in exchange for money.
30 An incall refers to when the client comes to the victim's location, whereas an outcall refers to when the victim goes to the client's location.

Psychological Control

Traffickers often convince or coerce victims who do not have prior experiences providing sexual services to clients to do so through the ease by which money can be made and the huge profits that result. Similar tactics are also used against victims already engaged in dancing and/or prostitution, who are drawn into a pimp/prostitute relationship through promises of protection and increased profit. Traffickers manipulate their victims once a relationship has been established, often telling them that the money earned through prostitution will be used to build a life together and/or will go toward shared investments such as a business or house.

Throughout the trafficking process, victims are often subjected to repeated bouts of verbal abuse (name calling such as bitch, slut, whore, etc.) and emotional abuse (such as belittling and humiliation); a sense of worthlessness and inadequacy is instilled in the victims resulting in low self-esteem, allowing traffickers better control.

Traffickers often belittle their victims. Victims have been told that they are stupid, do not even know how to be a whore, are dirtier than a prostitute, and that no on else would want them.

Traffickers also expose victims to emotional instability. Once a victim has fallen in love with a trafficker, the trafficker can manipulate this emotional attachment. In some cases, traffickers apologize, promise to change, ask for forgiveness, and tell their victims that they love them or have plans with them following an episode of violence or an attempt by the victims to leave. This emotional cycle leaves victims in a constant state of flux and hinders their ability to leave their traffickers or realize their exploitive situations. In these cases, the victims' state of mind is very similar to that of an abused spouse.

Isolation

Several tactics are employed by traffickers in order to isolate victims from their familiar surroundings, to make them become more dependent on their traffickers, and more susceptible to control tactics. Traffickers often refrain from providing their victims with a stable residence. Victims commonly stay in several different residences and/or hotels for varying periods of time. Many victims are re-located by their traffickers within and/or across provinces in order to provide sexual services to customers.

While many victims are prohibited contact with family and friends, some are permitted minimal contact. In these cases, traffickers closely monitor their victims' phone conversations or Internet usage, and manage any visitations with friends and family.

In order to limit physical movement, victims' identification documents (social insurance card, birth certificate, health card, driver's license, passport, etc.) and other personal items (wallet, cell phone, clothing, etc.) are commonly confiscated, withheld, and sometimes destroyed by their traffickers. Many victims are further confined to the residence or hotel through their obligation to follow strict rules set by their traffickers, such as not leaving the premise without the traffickers' permission or direct company.

Intimidation and Threats

Intimidation and threats, two of the most common control tactics used by traffickers, often occur repeatedly and involve weapons such as firearms and knives.

Traffickers have told their vitims that they

- *have photos of their children*
- *are affiliated to an OMG*
- *have eyes and ears at the clubs*
- *know where their families live*
- *have many friends who are armed*

Human trafficking cases have shown that victims who are intimidated by their traffickers become more submissive and compliant to their traffickers' rules and demands. In addition to anger, yelling, forceful and profane language, and aggressive mannerisms, traffickers have adopted more subtle means of effectively intimidating victims. Traffickers frequently use comments that are intended to instill fear and imply harm toward their victims or someone known to their victims without using overt and direct threats.

Where direct threats are used, traffickers often state that harm, or death, will be inflicted upon the victims or their family members. Some traffickers threaten to reveal the victims' involvement in prostitution to their families, leaving the victims fearful of their relatives' reactions. Occasionally, traffickers will threaten to harm or kill themselves, the victims' pets, or threaten to destroy some of the victims' personal belongings. In these cases, the victims would rather continue in the exploitive situation than see their traffickers, pets, or personal belongings harmed in any way. Although not new, traffickers are increasingly using pets as a means to control their victims.

Violence

The majority of traffickers use violence to control their victims. In approximately 75 percent of cases, traffickers were charged with offences relating to assault and sexual assault, including aggravated offences associated with living on the avails of prostitution of a minor. Traffickers primarily use physical assault, which ranges from slaps to severe beatings and sometimes involves choking or pulling the victims' hair. Physical assaults often occur on more than one occasion and, in some cases, even when the victim is pregnant. Both physical and sexual assaults sometimes involve the use of weapons such as firearms, tasers, etc. as a means to increase the severity.

Victims have also reported torture tactics used by their traffickers, such as cigarette burns to parts of their bodies, or being forced to bathe in freezing cold water and remain naked afterwards. In one case, ice was further added to the bathtub as the accused felt the water was not cold enough. The victim was not permitted a towel and was forced to stand in front of the air conditioner for a period of time.

Drugs and Alcohol

Numerous traffickers use illegal drugs and, to a lesser extent, alcohol to maintain control over their victims. Drugs commonly used by traffickers include marihuana, gamma-Hydroxybutyrate (GHB), crack cocaine, Ecstasy, and cocaine.

Victims abuse the drugs and alcohol provided by their traffickers for relaxation, energy, and as a coping mechanism. In some cases, victims are already addicted to drugs. In others, traffickers employ other control tactics to force their victims into abusing drugs. In both cases, traffickers use drugs and alcohol to increase their victims' dependency, ensure compliance, and make sure that sexual services are continually being provided to customers.

Branding

Traffickers occasionally use tattoos as a method of added control. Branding occurs when victims are forced to get a tattoo that represents and identifies their traffickers. Most commonly, a tattoo of the traffickers' name, in some form, is placed on the back of the victims' neck. Tattoos are often of the traffickers' surname, initials, street name, or another alias. Branding represents ownership. The purpose of the tattoos is to show others that the victims belong to the traffickers; to prevent the victims from being recruited by others; and, to psychologically affect the victims. Tattoos are now being placed in more inconspicuous locations, such as the area of the lower abdomen, in order to avoid identification.

Debt

Many traffickers impose debts on victims in order to achieve initial control. Traffickers often tell victims that money is now owed for purchases made throughout their relationship (e.g. drugs, clothing, dining out, etc.) or that they must start paying for living expenses and bills. At times, victims are simply told by their traffickers that they need money. Victims are subsequently told by their traffickers that the money owed or needed is to be earned through dancing and/or prostitution.

Throughout the trafficking process, at times, traffickers impose fines on victims when they break rules, misbehave, are disobedient, etc. Victims are advised that they owe money to the trafficker and the fine must be paid off by providing sexual services to other individuals.

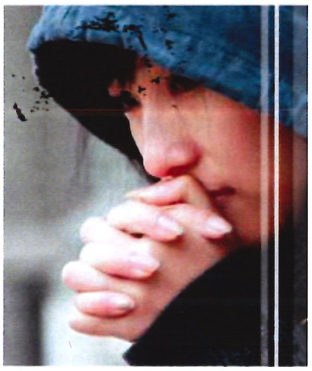
Examples of fines include the following:

- *Smoking - $100 fine*
- *Sleeping in - $500 fine*
- *Missed day of providing sexual services - $250 fine*

Many traffickers set an exit fee when their victims want to leave or quit. This is a pre-determined sum of money that victims must pay their traffickers before they are allowed to leave. Victims are expected to pay this debt by providing sexual services to customers. Traffickers use exit fees to ensure their victims do not leave; traffickers may continually increase the fees and often set huge amounts which prevents most victims from being able to pay off this debt. The most commonly reported exit fees are $10,000 and $50,000; the largest is $365,000.

Escaping the Trafficker

In the event that victims are able to escape, traffickers frequently continue to employ control tactics in order to try and lure the victims back into the relationship. Most commonly, traffickers constantly try to contact their victims via phone calls, sending text messages, and over the Internet (primarily through Facebook). In order to lure their victims back, traffickers primarily use guilt, threats, demand payment of so-called debts, or become overly kind. On occasion, victims become submissive and return to their traffickers.





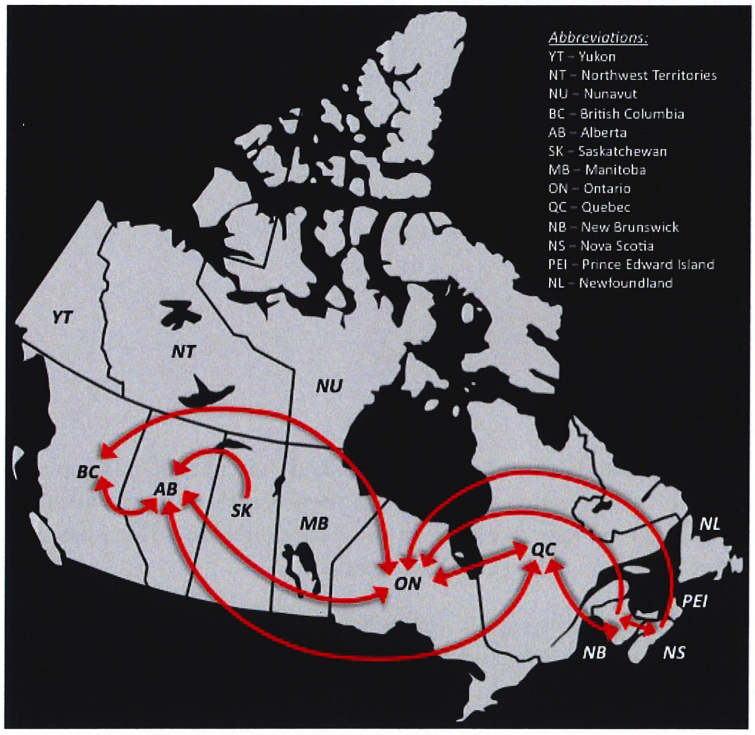


Inter-Provincial Links

Human trafficking is widespread throughout Canada. Of the 132 specific cases of domestic human trafficking for sexual exploitation, at least 23 involve inter-provincial links. In Canada, traffickers sometimes recruit victims from other provinces or meet their victims in one province and take them to another where they are subsequently exploited. Victims are often moved by their traffickers to a different province in order to isolate them and maximize profit by providing a fresh face to paying customers.

Trends for the movement of victims between provinces are depicted by the arrows in Chart 2.[ix] The movement between Quebec/New Brunswick and Ontario/Alberta is each based on a single human trafficking case. Major hubs include Ontario, Quebec, British Columbia, and Alberta with victims predominantly being trafficked between neighbouring provinces, namely Ontario/Quebec and British Columbia/Alberta. For example, in central Canada, Ottawa, Montreal, and the Greater Toronto Area (GTA)[31] encompass a common circuit that traffickers use to move victims between Ontario and Quebec. When victims are moved to other provinces, traffickers typically travel along with their victims and force them to continue providing sexual services primarily within major city centres. Common centres include Vancouver, Calgary, Edmonton, Ottawa, the GTA (specifically the Peel Region[32] and City of Toronto), Niagara Falls, Montreal, Gatineau, and Moncton.

Chart 2



Intelligence suggests that there is a national prostitution ring with ties to Ontario, British Columbia, and Alberta. The victim was sent by her pimp/boyfriend from Ontario to British Columbia to provide sexual services. The victim was subsequently trafficked. The victim's identification and phone were taken. The victim was forced to provide sexual services on the streets in addition to advertising her sexual services on the Internet. Another female was brought from Alberta to British Columbia by the same individual to also provide sexual services.

31 For the purpose of this report, the GTA consists of the City of Toronto and the regions of Durham, York, Peel, and Halton.
32 The Peel Region includes Brampton, Caledon, and Mississauga in the province of Ontario.

Provincial Overview

The majority of the 132 specific cases of domestic human trafficking for sexual exploitation are in Ontario and Quebec (as depicted in Chart 3). This does not indicate, however, that this crime is not occurring, or is occurring at a lesser extent, in other provinces. In Ontario and Quebec, dedicated law enforcement units/investigators, as well as other service providers, have worked together to effectively overcome many challenges pertaining to detecting and investigating this crime and supporting victims. This proactive approach has enabled many law enforcement agencies in these regions to be successful in laying human trafficking specific charges. Additionally, in 2012 and 2013, other police agencies in Ontario and Quebec, some with jurisdiction in more rural areas, laid human trafficking specific charges for the first time.[33]

Chart 3



Regional Analysis – Atlantic Region

In 2009, an integrated Halifax Regional Police and RCMP team laid human trafficking specific charges against two individuals in two separate cases. To date, these are the only two instances where human trafficking specific charges have been laid in the Atlantic region. There has been at least one additional human trafficking related case in Nova Scotia.

Several individuals originating from a specific region within Nova Scotia and/or their associates have been known to be violent and intimidating and also involved in criminal activities such as prostitution, aggravated assault, and sexual assault.

Between 2007 and 2009, several individuals with links or suspected links to these Nova Scotia-originating individuals were charged with human trafficking specific offences by various police agencies. In these cases, the victims were recruited within Ontario or Nova Scotia and were forced to provide sexual services primarily within the GTA. In many of the cases, court processes were not successful as the victims became uncooperative leading to the withdrawal of the charges against the accused. Despite these challenges, human trafficking related convictions have been secured.

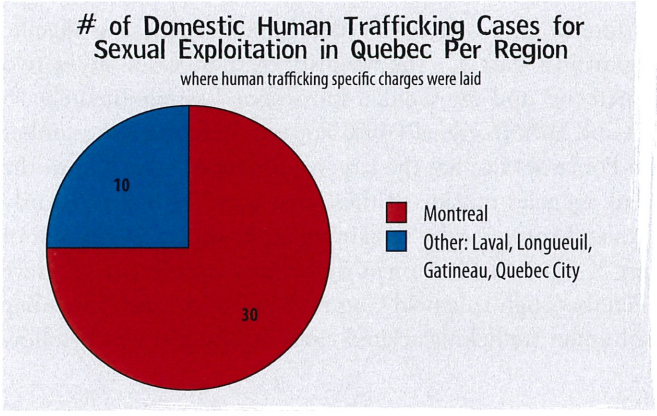
These Nova Scotia-originating individuals and their associates are still involved in human trafficking at an inter-provincial level. Current intelligence suggests that they are active in human trafficking activities in Nova Scotia, New Brunswick, and Ontario.

33 Police agencies include North Bay Police Service, Peterborough Lakefield Community Police, Laval Police Service, Service de Police de la Ville de Québec.

Regional Analysis – Quebec

Since 2007, there have been 40 cases in the province of Quebec where human trafficking specific charges have been laid by five different police agencies. As depicted in Chart 4, approximately 75 percent of these cases are in Montreal; all charges were laid by the Service de Police de la Ville de Montréal. The remaining approximate 25 percent of these cases are depicted as Other in Chart 4 and were investigated by Service de Police de Longueuil, Gatineau Police Service, Laval Police Service, and Service de Police de la Ville de Québec. In addition, many of these same police services have laid human trafficking related charges in numerous other cases.

Chart 4



Human trafficking is widespread throughout Quebec with the major hub being Montreal. This city has a high demand for prostitution activities as it is known to have numerous exotic dance clubs, attracting locals and tourists from other provinces and the United States. As a result, traffickers are attracted to this city centre both locally and at a provincial level. In Quebec, victims are trafficked not only within the Montreal area, but also within and between outside regions such as Laval, Longueuil, Quebec City, and Gatineau. Victims from other provinces being trafficked to areas within Quebec are primarily being moved from Ontario.

Human trafficking investigations have shown that victims within Quebec are forced to provide sexual services almost exclusively within hotels, exotic dance clubs, and private residences. Although exotic dance clubs are heavily used by traffickers in Quebec, there are more victims providing sexual services in hotels/private residences than within exotic dance clubs. In many cases, several different exotic dance clubs or hotels/private residences are used by traffickers. There is only a small portion of victims in Quebec who are forced to provide sexual services in both exotic dance clubs and hotels/private residences.

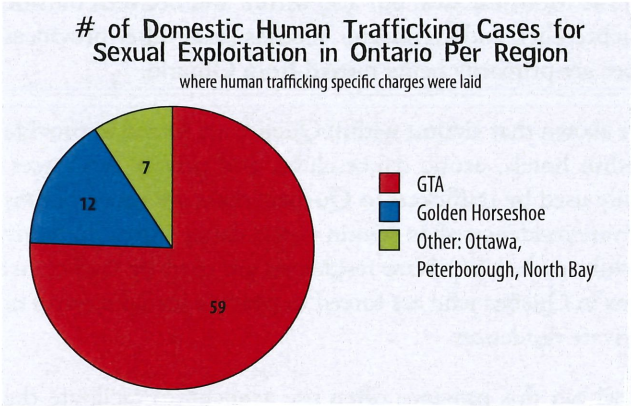
Quebec is unique in that traffickers within this province often use agencies to facilitate the placement of their victims and/or acquisition of clients within Montreal and the surrounding areas. These agencies are independently operated. In these cases, victims are placed within exotic dance clubs by the agencies or the agencies advertise the victims as escorts and arrange customers for them. At times, traffickers similarly use escort agencies when moving their victims to Ontario. Since 2010, there have been several cases in Montreal where traffickers have operated their own escort agencies or massage parlours. Typically, other individuals such as receptionists or chauffeurs are involved in the operation of the escort agencies or massage parlours.

Quebec and Ontario are the two provinces in Canada where human trafficking is highly related to street gangs. In approximately 70 percent of Quebec's human trafficking specific cases, traffickers are members or associates of street gangs. In Quebec's human trafficking cases, law enforcement laid human trafficking specific and/or related charges against at least 52 accused who were linked to street gangs either through association, suspected association or direct membership. As of April 2013, 12 of the street gang-related accused have been convicted of either human trafficking specific and/or related offences. All charges against an additional four accused were withdrawn and the remaining accused are currently still before the courts.

Regional Analysis – Ontario

Since 2007, 11 police agencies in Ontario have collectively laid human trafficking specific charges in 78 cases, depicted per region in Chart 5. The majority of these cases are in two areas—the GTA (approximately 75 percent) and the Golden Horseshoe[34] (approximately 15 percent). Peel Regional Police Service and York Regional Police Force have the largest number of cases in the GTA, while Hamilton Police Service has the largest number of cases within the Golden Horseshoe. Law enforcement agencies outside of these two areas have also recently laid human trafficking specific charges and comprise the remaining approximate 10 percent of the cases, depicted as Other in Chart 5. Since 2011, human trafficking specific charges have been laid by Ottawa Police Service, Peterborough Lakefield Community Police, and North Bay Police Service. There are numerous human trafficking related cases in Ontario which follow similar trends.

Chart 5



Human trafficking is widespread throughout Ontario, with the major hub being the GTA. Many victims are recruited within the boundaries of the GTA; others are moved from regions within close proximity, such as Guelph, Waterloo, Hamilton, and Niagara. Victims are also moved to the GTA from other cities including Ottawa, Barrie, North Bay, Windsor, Kingston, Woodstock and London. The Peel Region and the City of Toronto are the two most common regions within the GTA to which victims are moved; however, trafficked victims are forced to provide sexual services in exotic dance clubs, hotels, and private residences in all regions of the GTA. Traffickers have different strategies for moving their victims within the GTA: victims may be kept within one region of the GTA, but are moved around within that region (i.e. victims remain in Peel Region, but are forced to provide sexual services in the cities of Mississauga and Brampton); victims are forced to provide sexual services within one or more regions other than where they are residing; or, victims are prevented from having a permanent residence and are continually moved to multiple locations within the different regions of the GTA.

34 For the purpose of this report, the Golden Horseshoe is comprised of the Guelph, Waterloo, Hamilton, and Niagara regions in the province of Ontario.

There is currently a lack of intelligence pertaining to the movement of trafficked victims between the different regions of the Golden Horseshoe. However, victims are often moved by their traffickers from the GTA to the Golden Horseshoe and between these two regions. Victims are most commonly moved from the City of Toronto and the Peel Region to provide sexual services in exotic dance clubs, hotels, and private residences within Hamilton, Niagara, Guelph, and Waterloo. Not all trafficked victims within the Golden Horseshoe come from the GTA—many victims are recruited and trafficked within the boundaries of Waterloo, Hamilton, and Niagara or they are moved from other cities such as Ottawa and London.

Traffickers have also worked in cities such as Kingston, Windsor, North Bay, Peterborough, Ottawa, Barrie, Woodstock and London. In some cases, traffickers have moved victims to these cities from other regions in Ontario, mainly the GTA.

In Ontario, traffickers use exotic dance clubs to traffick their victims for sexual exploitation. Many traffickers either recruit victims from exotic dance clubs, primarily located within the Peel Region, and/or force their victims to provide sexual services within these venues. Although many victims are trafficked within exotic dance clubs, there are more victims trafficked within hotels/private residences in Ontario. Traffickers primarily use the Internet, namely Backpage.com, to acquire clients for victims who are prostituting.

In recent years, victims are increasingly being forced to provide sexual services in massage parlours, particularly in the areas of York and Toronto. In these cases, the massage parlours are typically owned and operated by personnel other than the traffickers. There have only been a few cases in Ontario where the traffickers have operated their own massage parlour, or escort agency. Although not overwhelming, these cases occurred between 2010 and 2012 which could be indicative of an emerging trend in Ontario.

In Ontario, human trafficking is highly related to street gangs, although the association is not as profound as in Quebec. Numerous traffickers in Ontario are associated to, or are members of, street gangs. Recent intelligence from Peel Regional Police Service shows that traffickers are associated to street gangs from the Montreal area, as well as other more local gangs. These local gangs are not known to be a specific gang; rather, they are believed to be individuals who are associated to, or are members of, groups of people who decided to form and call themselves a gang. Approximately 35 percent of Ontario's specific cases of domestic human trafficking for sexual exploitation are related to street gangs. In these cases, 21 accused were charged with human trafficking specific and/or related offences. The accused were either associated to, suspected of being associated to, or were direct members of street gangs, many being of Haitian decent. As of April 2013, human trafficking specific or related convictions were secured against nine of the accused, the charges against two accused had other outcomes, and the remaining accused are before the courts.

Regional Analysis – Prairie Region (Manitoba, Saskatchewan, and Alberta)

As of April 2013, there have been eight cases where human trafficking specific charges were laid collectively in Alberta and Manitoba; the majority of these cases were in Alberta. Some additional human trafficking related cases were in the Prairie Region.

Manitoba

In Manitoba, there is one case where Winnipeg Police Service laid human trafficking specific charges:

> *Theresa PEEBLES, an Aboriginal female, befriended the 21 year old victim, also Aboriginal, at a homeless shelter in Winnipeg. The victim was manipulated and forced to provide sexual services under the control of PEEBLES. Some of the control tactics used by PEEBLES were violence, threats, forcible confinement, and confiscation of the victim's treaty card. In 2011, all charges against PEEBLES were withdrawn as the victim became non-cooperative.*
>
> *Upon completion of the above case, PEEBLES remained of interest to law enforcement. In August 2012, PEEBLES was arrested by Winnipeg Police Service for living on the avails of prostitution. PEEBLES met another victim, a 17-year-old chronic runaway with FASD and cognitive disabilities, and befriended her by providing shelter, food, and clothing. PEEBLES groomed and forced the victim to provide sexual services by acquiring customers from the streets in Winnipeg. The money earned by the victim was handed over to PEEBLES, who then used it to purchase drugs, cigarettes, and alcohol that both the victim and PEEBLES consumed. In January 2013, PEEBLES pleaded guilty to the offence and received two years plus a day in prison and a three year probation term.*

Manitoba is unique in that this province is one of the few in Canada where street-level prostitution is prevalent. In Winnipeg, many individuals, who are primarily Aboriginal, solicit customers from the streets and provide sexual services in exchange for money. Off the streets (e.g. in hotels, private residences, etc.), there is a mix of ethnicities among those providing sexual services; however, these individuals are primarily not Aboriginal. The majority of individuals in this region who are involved in street-level prostitution are drug addicted; the money earned through prostitution is used most predominantly as a means to fuel their addiction.

In some cases, individuals engaged in street-level prostitution are expected to purchase drugs from a specific shack, gang, or drug dealer; if they fail to do so, the result is often physical abuse. In effect, the gang or drug dealers supplying the drugs become the controllers. Due to the addiction, the individuals involved in prostitution are trapped in a constant cycle of sex for drugs which makes them extremely vulnerable to becoming trafficked; many of them may already be victims of human trafficking. In Winnipeg, the largest challenge for police is that individuals providing sexual services are so heavily drug addicted that they do not see themselves as victims; therefore, they do not come forward to disclose their situation or do not want to cooperate with the police. Without the victims' cooperation, it is difficult for law enforcement to assess the situation and determine if elements of human trafficking are present.

Alberta

In Alberta, Calgary Police Service and Edmonton Police Service have collectively laid human trafficking specific charges in seven cases. These cases are almost equally distributed between the two police services.

The cases in Alberta indicate that victims come from other provinces and are subsequently trafficked primarily in Edmonton and Calgary. Approximately half of Alberta's human trafficking specific cases, and a couple additional human trafficking related cases, follow this trend. Traffickers residing in Alberta recruit victims from British Columbia (Vancouver), Saskatchewan (Saskatoon), and Quebec (Montreal). The circumstances surrounding the victims' recruitment vary: they come to Alberta for false job opportunities, to knowingly provide sexual services, or to visit. Victims are lured to Alberta and become trafficked once they are isolated after having left their familiar surroundings.

> *In 2010, the Calgary Police Service laid human trafficking specific and related charges against Eric RIENDEAU for his involvement in the trafficking of an 18-year-old female. The victim and RIENDEAU met through mutual acquaintances in Montreal and began a relationship. RIENDEAU convinced the victim to come and visit him in Calgary. After a period of time in Calgary, the victim's money ran out. The victim was told by RIENDEAU that if she wanted to go home to Montreal she would have to provide sexual services to other individuals. The victim began providing sexual services to clients out of a private residence in Calgary. To ensure the victim did not leave and was compliant, RIENDEAU used violence and threatened the victim's life with weapons. RIENDEAU was found guilty of living on the avails of prostitution.*

Victims in Alberta are usually forced to provide sexual services in hotels or private residences; only in a few cases do traffickers use both locations. It is common for traffickers to use several hotels or private residences to facilitate their victims' exploitation. Online advertisements posted on *Craigslist.com* and *Backpage.com* are primarily used to acquire customers. In Alberta, there is only one human trafficking specific case where the victims were forced to provide sexual services within a massage parlour; this business was operated by the accused. Although the majority of victims are trafficked solely within the cities of Edmonton and Calgary, human trafficking cases and intelligence indicate that some traffickers facilitate the movement of victims between these two locations either by recruitment or for prostitution purposes.

Regional Analysis – British Columbia and Northern Territories

As of April 2013, law enforcement has laid human trafficking specific charges in British Columbia (three cases) and Nunavut (one case). This is the first time human trafficking specific charges have been laid in any of the northern Canadian territories.

In British Columbia, the cases were investigated by the Vancouver Police Department (two cases) and the Victoria Police Department (one case). In addition, there are many human trafficking related cases in British Columbia that were investigated by the Vancouver Police Department and several RCMP detachments.

Recently, numerous human trafficking specific and related charges were laid by the Vancouver Police Department's Counter Exploitation Unit against one individual. To date, this is one of the largest domestic human trafficking cases for sexual exploitation in Canada in terms of the number of victims.

> *From 2009 until his arrest in 2011, it is alleged that the accused was actively involved in human trafficking and prostitution-related activities at a multi-jurisdictional and inter-provincial level. The accused had 15 victims under his control ranging in age from 14 to 19 years, the majority of whom were minors. Through various means, the victims were recruited by the accused and forced to provide sexual services to clients in British Columbia, Alberta, and Quebec. The victims were extensively controlled through the use of drugs, threats, intimidation, physical assault, sexual assault, strict rules, quotas, and exit fees. The accused threatened to harm one of the dogs when one of the victims disobeyed him or refused to have sexual intercourse with a client. Police estimate that the accused made a profit of approximately $500,000-$800,000 during the time in which the victims were under his control.*

Human trafficking in British Columbia has some unique characteristics as compared to other provinces. In particular, victims in British Columbia are almost exclusively forced by their trafficker to provide sexual services to customers in various private residences and/or hotel rooms; in fact, private residences appear to be used more frequently than hotels. The use of exotic dance clubs and/or massage parlours for domestic trafficking in this region is minimal.

As a means to acquire clients, the majority of traffickers advertise the sexual services of their victims on the Internet. The most commonly used websites in British Columbia are *Backpage.com*, *Craigslist.com*, and *ERSlist.com*. A small portion of victims have been forced into street-level prostitution; clients were primarily acquired from the track in Surrey. Only in a few cases did street-level prostitution coincide with the victims also providing sexual services through online advertising. Human trafficking investigations and intelligence indicates that the Lower Mainland is the hub for human trafficking in British Columbia. Victims are most commonly trafficked within and between Vancouver, Richmond, and Surrey.

Human Trafficking Related Cases

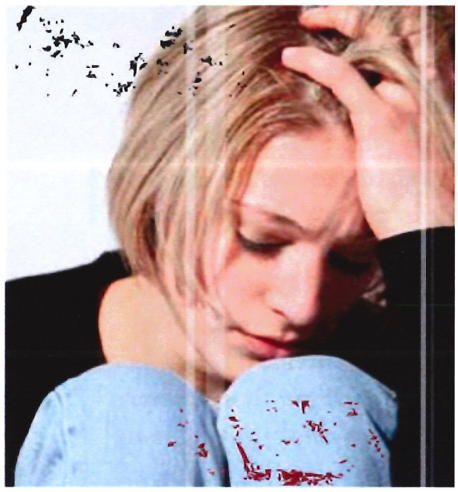
Upon analysis, the human trafficking related cases were found to be very similar in nature to cases where human trafficking specific charges were laid, following the same trends previously identified. As a result, the findings in this report are based on a larger number of cases. Of particular note, however, are the cases demonstrating that some underage females are being forced to provide sexual services by members of their own families. Investigations of such a nature have occurred in British Columbia, Saskatchewan, and Manitoba.

> *In 2011, Penticton RCMP Detachment laid human trafficking related charges against the stepfather of a 17-year-old female. The victim was psychologically controlled and coerced by her stepfather to provide sexual services to customers. The stepfather told the victim that he would keep her safe and that her providing sexual services to clients makes things easier on the family. The victim was subjected to numerous sexual assaults by her stepfather and handed over the money earned. In 2012, the stepfather was found guilty of offences such as guardian procuring sexual activity, living on the avails of prostitution of a person under 18 years, sexual assault, and aiding/abetting/compelling a person to engage in prostitution. The stepfather was sentenced to nine and a half years in prison.*

Individuals who provide sexual services at the demands of their parents/step-parents/legal guardians are left believing they have little or no choice but to comply. In these cases, parental figures abuse their position of trust and authority in order to benefit themselves financially. These types of cases will more than likely exhibit elements of human trafficking. Given that the victims have been directed and controlled by their guardian(s)/family, it may be difficult to obtain cooperation from the victims; therefore, other criminal charges against the accused may have to be pursued.

HUMAN TRAFFICKING INVESTIGATIONAL CHALLENGES, ISSUES, AND GAPS

Victim Cooperation



Victim cooperation remains one of the biggest challenges law enforcement faces when investigating human trafficking cases. When potential victims are identified and law enforcement intervenes, victims are often uncooperative from the onset. The immense psychological and physical control traffickers have over their victims prevents many from believing they can leave their circumstances or report their situation to law enforcement. This is due to the following: victims accepting their exploitive situation believing it is better than their previous circumstances; victims not seeing themselves as victims; victims believing they are in love with their traffickers and wanting to protect them; victims fearing their traffickers; and, victims believing that the police cannot help them, etc.

Cooperation from victims is often necessary in order to successfully prosecute traffickers in human trafficking cases. Although very challenging, building rapport with victims and gaining their trust is essential. The victims' detailed statement of events is the best evidence in order to lay appropriate charges against the traffickers. Once charges are laid, law enforcement officials are further faced with the challenges of gaining the victims' cooperation during what is normally a lengthy and difficult court process, as victims are required to relive the horrific details of what they endured while being trafficked. Many police services are proactively using innovative methods to gain trust and cooperation from victims.[35]

Lack of Human Trafficking Awareness and Understanding

Since the creation of the CC human trafficking legislation in 2005, one of the HTNCC's main priorities has been to raise awareness about human trafficking in Canada, focusing largely on educating and training law enforcement, as well as NGOs, the public, and government agencies. As of April 2013, the HTNCC and regional human trafficking awareness coordinators have provided training and/or awareness on human trafficking to 52,100 law enforcement officers, NGOs, the public, and government agencies. Among these sectors, human trafficking awareness has increased significantly over the last number of years; as a result, many victims have been identified, human trafficking charges have been laid, and convictions have been secured against traffickers across the country.

Human trafficking is inconsistently defined across Canada, despite efforts by law enforcement to raise awareness. Law enforcement is guided by the CC definition, while numerous other

35 One example is Project Les Survivantes, initiated by the Service de Police de la Ville de Montréal.

organizations and service providers have adopted other definitions and understandings of human trafficking. Tips and complaints that are reported to law enforcement are often referred to as human trafficking, but after follow-up, they are deemed unfounded for human trafficking. Despite this, members of the public are concerned about potential human trafficking victims, as suspicious criminal activities are actively reported to police.

There is still a need for continued awareness among law enforcement and Crown Prosecutors, despite the numerous human trafficking successes to date. In some areas, human trafficking investigations are not being conducted or the investigations are being pursued as other types of criminal activity, sometimes due to other priorities. Some police officers and Crown Prosecutors remain uninformed about the definition of human trafficking and its legislation. Additionally, since this legislation is still fairly unknown, some investigators and Crown Prosecutors do not lay human trafficking specific charges as they are more comfortable pursuing offences under the CC that are more commonly used. As well, there remains a lack of understanding among law enforcement and Crown Prosecutors of the definition and elements of human trafficking, particularly in regards to the act element, consent, movement of victims, and exploitation.[36] However, Crown Prosecutors, mainly in the provinces of Ontario and Quebec, have secured numerous human trafficking convictions and lengthy sentences against traffickers in many human trafficking cases.

To date, eight years and nine months jail time is the largest sentence for domestic human trafficking for sexual exploitation in Canada and was secured in the Peel Region in May 2012. Omar MCFARLANE pleaded guilty to human trafficking specific and related offences after kidnapping two adult females at gunpoint. The accused advised one of the victims she was going to provide sexual services to other individuals and threatened her if she refused.

Investigational Resources

In order for human trafficking to be investigated fully, continuous coordination of intelligence and proactive investigations by law enforcement is essential. To date, operational resources and manpower that are dedicated solely to investigating human trafficking are limited, often resulting in reactive investigations. Where resources have been allocated in some law enforcement agencies, funding has been withdrawn due to budget constraints. For example, Project MOBILIS was initiated by the Service de Police de Longueuil in order to proactively investigate human trafficking and prostitution-related activities of underage individuals. As a result of Project MOBILIS, numerous human trafficking specific and related charges have been laid against many accused. There have been recent cuts to the funding of Project MOBILIS.

Human trafficking investigations often heavily rely upon victim cooperation, as victims are the primary witnesses. Gaining their full cooperation and trust often takes a significant amount of time and commitment. Due to these operational demands, resources dedicated to support human trafficking investigations are limited and other law enforcement priorities often take precedence.

36 See page four for explanations of these common misconceptions.

In many parts of the world, some countries have been more successful in investigating human trafficking as they have dedicated teams to proactively investigate this crime. In Canada, there are currently no teams dedicated exclusively to investigating human trafficking. Also, the number of vice units whose investigational mandate includes prostitution-related activities is minimal. The many successes in Canada to date are attributed to the passion and dedication that numerous investigators and teams have put forth in order to build their expertise and ensure that human trafficking investigations remain a priority. However, the majority of these investigators are also required to investigate other criminal activities, which limits the time and resources available to commit to human trafficking investigations. It is impossible for this crime to be investigated to its full potential without establishing teams mandated to investigate only human trafficking.

The Government of Canada's National Action Plan to Combat Human Trafficking proposes the development of an integrated enforcement team led by the RCMP and comprised of personnel from Canada Border Services Agency, a criminal intelligence analyst, and other law enforcement personnel from municipal and/or provincial agencies. When created, this team will be the first of its kind in Canada dedicated to proactively investigate, in a specified region, both international and domestic human trafficking for sexual exploitation and forced labour, on a full-time basis.[37]

Human trafficking investigations conducted to date have only scratched the surface of the true extent of this crime across the country. Through the collection and coordination of intelligence, the West Region of Service de Police de la Ville de Montréal has identified approximately 65 suspects in 2012 and 2013 alone, that each show strong indications of being involved in human trafficking. Intelligence gathered indicates that the 65 identified suspects are actively involved in pimping activities, are associated to street gangs, have been involved with many female runaways and females engaged in dancing and prostitution, and have shown aggressive behaviour toward young females. In addition, the intelligence gathered pertaining to females involved in dancing who have been assaulted, has identified potential victims of human trafficking. Due to the lack of operational resources, manpower, and competing priorities, further intelligence gathering or proactive investigations into the identified suspects' involvement in human trafficking and potential victims has not been possible.

This intelligence, obtained by the West Region of Service de Police de la Ville de Montréal, highlights the overwhelming potential for human trafficking investigations at a national level. In order to investigate human trafficking to its full potential, resources and teams across the country consisting of law enforcement and members from other key agencies/organizations need to be devoted solely to human trafficking.

37 Since the time of publication of this report, the RCMP has established a dedicated human trafficking enforcement team based in Montreal for the province of Quebec. This team will work closely with provincial and municipal law enforcement agencies to better combat human trafficking.

Court Case: Bedford V. Canada

Terri Jean BEDFORD and two other females sought a declaration from the Ontario Superior Court of Justice that three of Canada's prostitution laws—communicating for the purpose of prostitution (s. 213 (1)(c) CC); living on the avails of prostitution (s. 212 (1)(j) CC); and, keeping a common bawdy-house (s. 210 CC)—are unconstitutional.[x] In September 2010, all three provisions were deemed unconstitutional and were subsequently appealed by the Government of Canada.[xi] On appeal, it was ruled that only s. 210 CC and s. 212(1)(j) CC were unconstitutional.[xii] The government again appealed this decision. The Supreme Court of Canada heard this case in June 2013 and it is anticipated that it will render its decision in the fall of 2013.[38]

The BEFORD ruling has directly affected human trafficking cases currently before the courts, as well as potential human trafficking investigations across the country. Some human trafficking cases that are currently in the court process are being delayed. It is possible that these cases are being delayed pending a decision in BEDFORD v. Canada, as many of these cases involve the prostitution-related offences being challenged, as well as human trafficking specific offences. Additionally, current sentencing for some accused has been delayed due to the BEDFORD case. For example, Calgary Police Service charged Linh Quy TO with both human trafficking specific and related offences in 2009. The human trafficking specific charges were recently dropped as TO pleaded guilty to related offences. TO's sentencing has been set aside until the outcome of the BEDFORD case has been decided.

After the initial BEDFORD ruling, law enforcement and Crown Prosecutors in some provinces refrained from conducting routine inquiries into prostitution-related activities or proceeding with charges related to bawdy-houses. These decisions are made pending the BEDFORD ruling; however, during that time period, victims of human trafficking are possibly being overlooked.

Missing Persons

Human trafficking investigations have shown that many victims are reported to police as missing during the time in which they are trafficked. Investigative reports indicated that these missing persons are primarily youth. Many of the victims who are trafficked are chronic runaways, especially from group homes. For example, youth have been trafficked over the weekend when they have run away from their group home. After the weekend, the youth returns to the home and the same cycle continues the following weekend. Missing females are involved in providing sexual services in order to make money, which makes them extremely vulnerable to traffickers. In many instances, the responding police officer and group home staff are not necessarily aware of human trafficking and may dismiss the incident as acts of rebellion or wanting to hang out with friends, etc. In these cases, there may not be follow up after the missing females return to their home or primary location of care.

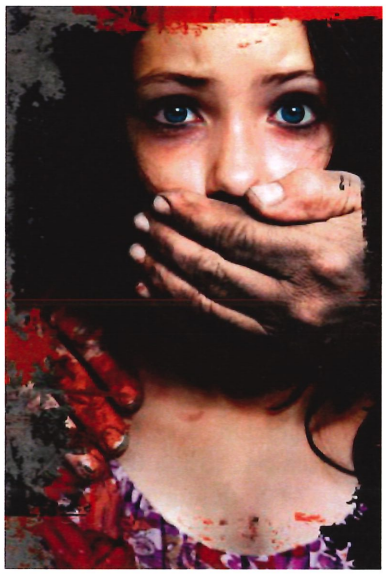
The Proceeds of Human Trafficking

There is enormous profit to be made from the trafficking of individuals to provide sexual services; however, the money traffickers make from exploiting victims is rarely ever followed by law enforcement. The overall profit is often estimated[39] or is based on the amount of money seized by law enforcement upon the traffickers' arrest.

38 Since the time of publication of this report, The Supreme Court of Canada rendered its decision. In December 2013, all three of the challenged prostitution laws were deemed unconstitutional.

39 This is often calculated based on the victims' daily profit, number of days providing sexual services, and duration of exploitation.

CONCLUSION



Domestic human trafficking for sexual exploitation is widespread in Canada. Traffickers prey on the needs and vulnerabilities of individuals in order to recruit, control, and exploit victims. Traffickers not only target vulnerable groups, they also target individuals with relatively stable backgrounds. Traffickers charm, manipulate, coerce and often persuade victims, through various means, to provide sexual services to other individuals. Traffickers are driven by the enormous profits that result from individuals providing sexual services to others. In order to maximize profit, traffickers have adopted ways to ensure that victims comply with their demands and expectations. The level of control traffickers have over their victims is profound, with the majority of victims being subjected to extensive psychological control, manipulation, intimidation, threats and/or brutal violence. Whatever the means used, the conduct of traffickers hinders the victims' ability to leave their circumstances.

Since 2007, various law enforcement agencies have laid human trafficking specific charges in many cases of domestic human trafficking for sexual exploitation across Canada. In addition, court processes pertaining to these cases have resulted in numerous accused receiving convictions and lengthy sentences for their involvement in trafficking victims for sexual exploitation. The successes to date are attributed to the passion, dedication, and commitment that many law enforcement officers and agencies, NGOs, and other service providers have put forth in order to come together and overcome the many challenges involved in investigating this crime and supporting victims.

Despite the many successes, human trafficking investigations to date have only scratched the surface of the true extent of this crime in Canada. In some locations across the country, law enforcement agencies/officers are not conducting human trafficking investigations as they are not always aware of human trafficking legislation, do not fully understand this crime, lack resources, or have competing priorities. In addition, victims often do not come forward to report their exploitive situation to law enforcement due to the immense control they endure while being trafficked; or, when the crime is investigated, victims choose not to cooperate with police for various reasons. Therefore, in order for domestic human trafficking for sexual exploitation to be investigated to its full potential, it is essential that training and awareness continue, intelligence is gathered and disseminated, proactive investigations are conducted, and resources and manpower are dedicated to combatting this crime.

STRATEGIC CONSIDERATIONS

Opportunities for Law Enforcement

- Proactive identification of victims and establishing their trust is essential in order for human trafficking to be fully investigated. In doing so, police officers gain cooperation from victims who would not otherwise come forward.
- Law enforcement should be diligent in offering support and assistance to high-risk individuals involved in prostitution. It often takes months, even years, for victims to recognize their exploitive situation and become willing to speak about it with police.

Opportunities for Law Enforecement, Service Providers, and Other Organizations

- Human trafficking is a crime that requires a multidisciplinary approach in order to rescue victims and arrest perpetrators. Law enforcement and service providers in every community should work together to build partnerships and advance various programs. These strong partnerships will enable various professionals to quickly intervene when victims or traffickers are identified and ensure that immediate support and expertise is available to deal with these cases.
- Members of the groups listed below should be educated about human trafficking for sexual exploitation, know how to recognize victims, and know who to contact (law enforcement and service providers) if victims or potential victims are identified so that assistance and support can be provided in a timely manner. These groups of individuals have been identified as having direct involvement with victims, potential victims, or traffickers of domestic human trafficking for sexual exploitation.

  Youth: Approximately 40 percent of human trafficking victims are minors. Underage traffickers are an emerging trend.

  Employees and wards of group homes: Traffickers recruit victims from within group homes and/or recruit victims that run away from group homes.

  Education workers (especially in high schools): Victims are recruited in schools and/or are attending school while being trafficked. In a few human trafficking cases, staff members were the ones who contacted law enforcement to report trafficked victims.

  Frontline medical personnel: Some victims of human trafficking seek medical attention while being trafficked.

  Clients of sexual services: Not all clients who purchase sexual services in exchange for money are aware that many individuals offering these services are being directed and forced to do so by traffickers. In a few human trafficking cases, it was the victims' clients who initially contacted police.

  Taxi drivers: Victims use taxi services to and from the locations where traffickers force them to provide sexual services.

Employees and owners of exotic dance clubs, escort/placement agencies, massage parlours, hotels/motels/inns, and condo/apartment complexes: Traffickers use these facilities and clientele to facilitate the exploitation of victims.

Bylaw enforcement officers mandated to conduct premise checks in massage parlours and exotic dance clubs: Victims are forced to provide sexual services within these types of businesses.

Transportation employees: Traffickers sometimes move victims via bus, airplane, etc. to different provinces for the purpose of providing sexual services to customers.

APPENDICES

Appendix A – Human Trafficking Legislation

Section 279.01 CC to 279.04 CC allow human traffickers to be charged with trafficking in persons across multiple jurisdictions.[40] Section 279.01 CC and s. 279.011 CC are the main human trafficking offences and are identical, but s. 279.011 CC refers to the trafficking of persons under the age of 18 years and carries a minimum sentence of five years in prison.[41] Section 279.02 CC targets individuals who benefit financially from the labour or service provided by the victims and s. 279.03 CC targets those who control and/or destroy the victims' personal documents. Lastly, s. 279.04 CC defines exploitation. In 2012, s. 279.04 sub-section (2) was added to the CC and serves as an interpretive aid in determining if individuals are exploited. The definition of exploitation in s. 279.04 CC did not change when sub-section (2) was added. Of note, if convicted of human trafficking, the accused can be included on the National Sex Offender Registry.

279.01 Trafficking in Persons[xiii]

(1) Every person who recruits, transports, transfers, 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.

(2) No consent to the activity that forms the subject-matter of a charge under subsection (1) is valid.

279.011 Trafficking of a Person Under the Age of Eighteen Years

(1) Every person who recruits, transports, transfers, receives, holds, conceals or harbours a person under the age of eighteen years, or exercises control, direction or influence over the movements of a person under the age of eighteen years, for the purpose of exploiting them or facilitating their exploitation is guilty of an indictable offence and liable

(a) to imprisonment for life and to a minimum punishment of imprisonment for a term of six years 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 and to a minimum punishment of imprisonment for a term of five years, in any other case.

(2) No consent to the activity that forms the subject-matter of a charge under subsection (1) is valid.

40 These sections were added to the CC in 2005.
41 Section 279.011 was added to the CC in 2010.

279.02 Material Benefit

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) or 279.011(1), is guilty of an indictable offence and liable to imprisonment for a term of not more than ten years.

279.03 Withholding or Destroying Documents

Every person who, for the purpose of committing or facilitating an offence under subsection 279.01(1) or 279.011(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.

279.04 Exploitation

(1) For the purposes of sections 279.01 to 279.03, a person exploits another person if they 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.

(2) In determining whether an accused exploits another person under subsection (1), the Court may consider, among other factors, whether the accused

(a) used or threatened to use force or another form of coercion;

(b) used deception; or

(c) abused a position of trust, power or authority.[xiv]

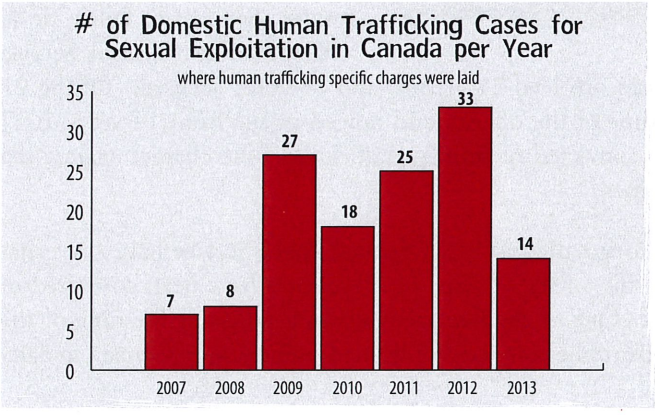
(3) For the purposes of sections 279.01 to 279.03, a person exploits another person if they cause them, by means of deception or the use or threat of force or of any other form of coercion, to have an organ or tissue removed.

Appendix B – General Statistics

Overview

Between 2007 and April 2013, the HTNCC has become aware of 132 specific cases of domestic human trafficking for sexual exploitation in Canada which collectively involve 202 accused and 200 victims. These 132 cases include those that are currently before the courts, have been completed through the court system, or have had other outcomes. Many of the 132 cases involve multiple accused. All accused were charged with human trafficking related offences. However, not every accused was charged with human trafficking specific offences; rather, some individuals were charged only with related offences. Still, all accused were involved in some way in the trafficking of the victims.

Chart 6

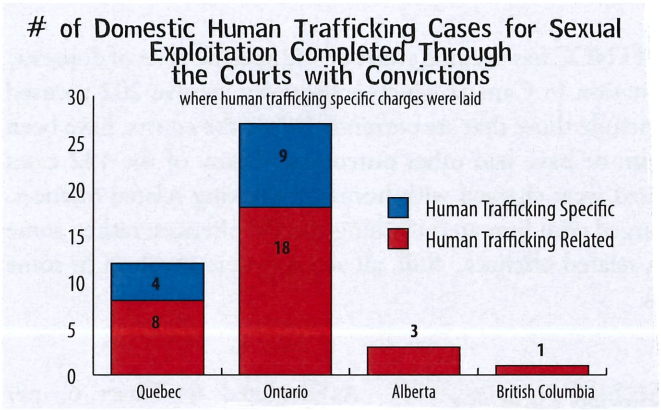


As depicted in Chart 6, per year, 2012 had the most cases. There have been 14 cases between January and April 2013. The number of cases increased from 2010 to 2012. It is not known, however, if this increase is attributed to a rise in this criminal market or to increased awareness and a better understanding of this crime leading to increased detection, reporting, and apprehension.

Convictions and Completed Cases

As of April 2013, 43 of the 132 specific cases of domestic human trafficking for sexual exploitation have been completed through the courts with convictions of either human trafficking specific or human trafficking related offences (as depicted in Chart 7). With respect to cases where human trafficking related convictions were secured, human trafficking specific and related charges were laid; however, for various reasons, such as non-cooperation of the victim, the human trafficking specific charges were dropped and police/prosecutors decided to pursue the case with related charges. In many of these cases, the human trafficking specific charges were dropped for a plea.

Chart 7



As depicted in Chart 7, in the provinces of Ontario and Quebec, 13 of the 43 completed cases, have resulted in convictions of human trafficking specific offences. These specific convictions were secured collectively by Peel Regional Police Service, York Regional Police Force, Niagara Regional Police Service, Gatineau Police Service, Service de Police de la Ville de Montréal, and Service de Police de Longueuil. The 13 cases involved 21 victims and 16 adult accused. Of the 21 victims, six were underage at the time of the offence and ranged in age from 14 years to 17 years. Of the 16 accused, 13 were convicted of human trafficking. The charges against the additional accused had other outcomes.[42]

Of note, the Service de Police de Longueuil and Peel Regional Police Service have cases that remain before the courts, however, five of the accused in those cases have been convicted of human trafficking specific offences. One of the five accused was a minor at the time of the offence and is the first young offender to be convicted of human trafficking in Canada to date.

In 2011, Service de Police de Longueuil laid human trafficking specific and/or related charges against seven males, one of whom was underage, for their involvement in the trafficking of two underage females and the solicitation of two additional female minors to provide sexual services to clients. The young offender recruited the victims from school and made them fall in love with him. The accused used strict rules, violence, and intimidation to maintain control over the victims. In early 2012, the young offender pleaded guilty to both human trafficking specific and related offences; he was sentenced to 36 months in prison.

Of the 43 completed cases, human trafficking related convictions have been secured in 30 cases collectively in the provinces of Quebec, Ontario, Alberta, and British Columbia (as depicted in Chart 7). These related convictions were secured jointly by Service de Police de la Ville de Montréal, Waterloo Regional Police Service, Hamilton Police Service, Halton Regional Police Service, York Regional Police Force, Peel Regional Police Service, Durham Regional Police Service, Calgary Police Service, Edmonton Police Service, and Victoria Police Department. The 30 cases involved 39 victims and 38 accused; three of the accused were minors. Of the 39 victims, 11 were underage and were between the ages of 14 years and 17 years at the time of the offence. Of the 38 accused, 35 were convicted of human trafficking related offences. The charges against the additional accused had other outcomes.[43]

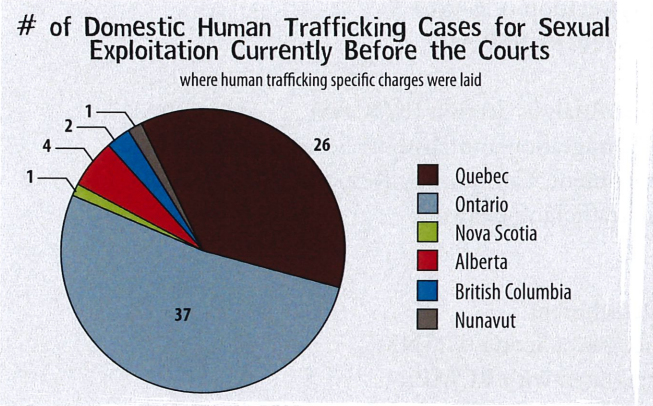
42 The accused were convicted of human trafficking related offences or all charges against them were withdrawn.

43 The accused were found not guilty of all charges or not guilty of human trafficking specific but guilty of human trafficking related offences.

Of note, the Service de Police de la Ville de Montréal, Service de Police de Longueuil, Niagara Regional Police Service, and Ottawa Police Service have cases still before the courts; however, some of the accused have received convictions. In these cases, nine accused have been convicted of human trafficking related offences, two of whom were minors.

In addition to the 43 completed cases with convictions, an additional 18 cases have had other outcomes.[44] These 18 cases involved 24 victims and 24 accused.

Chart 8



Cases Before the Courts

As depicted in Chart 8, 71 of the 132 specific cases of domestic human trafficking for sexual exploitation remain before the courts and involve 110 accused and 116 victims. The majority of these cases are in the provinces of Ontario and Quebec.

44 In these cases, all charges against the accused were withdrawn (due most commonly to uncooperative victims), the accused were found not guilty of human trafficking but guilty of human trafficking related offences, the accused were found not guilty of all charges, or the accused died.

Appendix C – Acknowledgements

The HTNCC would like to thank the following law enforcement agencies, NGOs and other service providers for their contribution to and assistance with Project SAFEKEEPING, and for their continued partnerships.

Alberta

- Action Coalition on Human Trafficking (ACT) Alberta
- Calgary Police Service
- Centre to End All Sexual Exploitation (CEASE)
- Criminal Intelligence Service Alberta (CISA)
- Edmonton Police Service
- RCMP 'K' Division Criminal Analysis Section (KDCAS)
- RCMP Northwest Region Immigration and Passport Section (Calgary)
- Red Deer City RCMP Detachment, Community Response Unit
- The Chrysalis Anti-Human Trafficking Network

Atlantic Region

- Codiac Regional RCMP Detachment
- Criminal Intelligence Service Nova Scotia (CISNS)
- Halifax Regional Police, integrated with RCMP
- RCMP Atlantic Region Immigration and Passport Section (Halifax)
- RCMP 'J' Division Criminal Analysis Section (JDCAS)
- Stepping Stone
- The Friendship Centre

British Columbia

- An Association Advocating for Women and Children (AWAC)
- British Columbia Office to Combat Trafficking in Persons (BC OCTIP)
- Deborah's Gate
- Elizabeth Fry Society, Prince George and District
- Ministry of Children and Family Development, North Region
- Ministry of Children and Family Development (Vancouver Youth Services), integrated with Vancouver Police Department
- Penticton RCMP Detachment
- Prince George RCMP Detachment, Victim Services
- RCMP 'E' Division Criminal Analysis Section (EDCAS)
- RCMP Pacific Region Immigration and Passport Section (Surrey)
- Service Anonymous Society
- Surrey RCMP Detachment, General Investigation Section
- Vancouver Police Department
- Victoria Police Department
- Williams Lake RCMP Detachment

Manitoba

- Assembly of Manitoba Chiefs
- Criminal Intelligence Service Manitoba (CISM)
- Dream Catchers

- Manitoba Family Services and Labour – Child Protection Branch
- Sage House
- The Salvation Army
- Winnipeg Police Service
- Winnipeg RCMP Detachment, Winnipeg Major Crime Services – Project DEVOTE

National Capital Region

- Criminal Intelligence Service Canada (CISC)
- Gatineau Police Service
- Ottawa Police Service
- RCMP 'A' Division Immigration and Passport Section (Ottawa)

Northern Territories

- Pond Inlet RCMP Detachment
- RCMP 'G' Division Criminal Analysis Section (GDCAS)

Ontario

- Criminal Intelligence Service Ontario (CISO)
- Durham Regional Police Service
- Halton Regional Police
- Hamilton Police Service
- Niagara Regional Police Service
- North Bay Police Service
- Peel Regional Police Service
- Peterborough Lakefield Community Police
- RCMP 'O' Division Immigration and Passport Sections (Toronto East Detachment, Toronto West Detachment, Windsor Detachment, Hamilton Niagara Detachment)
- Toronto Police Service
- Walk-With-Me
- Waterloo Regional Police Service
- Woodstock Police Service
- York Regional Police Force

Quebec

- Criminal Intelligence Service Quebec (CISQ)
- Laval Police Service
- Les Survivantes
- RCMP 'C' Division Immigration and Passport Section (Montreal)
- Service de Police de la Ville de Montréal
- Service de Police de la Ville de Québec
- Service de Police de Longueuil

Saskatchewan

- Regina Police Service
- Saskatoon Police Service

ENDNOTES

i United Nations Office on Drugs and Crime (UNODC). *Global Report on Trafficking in Persons 2012. United Nations Publication.* Vienna, Austria. December 2012, p. 13.

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