



CSALC

CHINESE AND SOUTHEAST ASIAN
LEGAL CLINIC

華越柬寮法律援助中心

Trung Tâm Hướng Dẫn Luật Pháp Hoa-Việt-Khmer-Lào

ក្លីនិកច្បាប់នៃសហគមន៍ចិន វៀតណាម ខ្មែរ និងឡាវ

May 24, 2019

Via email: ecdc@toronto.ca

City Clerk's Office
City Hall
100 Queen Street West
Toronto, Ontario
M5H 2N2

Attn: Economic and Community Development Committee

Dear Committee Members:

Re: Comments on Report of Social Development, Finance and Administration on Human Trafficking

Thank you for considering the comments of the Chinese and Southeast Asian Legal Clinic (“CSALC”) on the report of the Executive Director of Social Development, Finance and Administration (“SDFA”) entitled, “Supporting Survivors of Human Trafficking” (the “Report”).

CSALC is a community-based organization that provides free legal services to low-income non-English speaking members of the Chinese, Vietnamese, Cambodian, and Laotian communities in Ontario. Since our establishment in 1987, we have provided legal services to tens of thousands of clients – many of whom are vulnerable individuals with precarious immigration status, women fleeing domestic violence, and marginalized workers in low-wage jobs with no job security or protection. We represent clients in immigration and employment matters, as well as all areas of poverty law, including housing, social assistance, and income security.

For the past several years, we have been working closely with Butterfly (a.k.a. Asian and Migrant Sex Workers Network) and other community partners to help advance the rights of migrant sex workers. Our contributions include the provision of legal expertise on their initiatives and representation of clients associated with Butterfly.

We have reviewed the City’s prior reports on human trafficking and would like to offer the following comments for the Committee’s consideration:

We support both the written comments and deputation of Butterfly and ask the Committee to give these submissions meaningful consideration, as they reflect the lived experiences of women engaged in consensual sex work. As the Report rightfully notes, government and law enforcement

bodies are tasked with applying a safety, well-being, and human rights lens to meeting the objectives of the City's anti-human trafficking policy. These objectives include: preventing human trafficking, supporting survivors of human trafficking, and avoiding increasing the vulnerability and risks faced by those engaged in consensual sex work. No group is more qualified to provide recommendations on the latter than sex workers themselves.

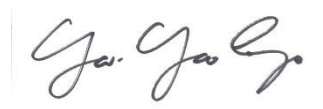
Further, we concur with the points raised by sex workers, advocates, and researchers who participated in SDFA's consultation, namely: the criminalization of sex work and heavy-handed enforcement conducted by police and bylaw enforcement officers puts sex workers at greater risk and undermines their safety, well-being, and human rights – contrary to the City's stated objectives. Such enforcement approaches pressure sex workers to go "underground" into unsafe and isolated workplaces where they are more vulnerable to exploitation. These policies are both harmful to workers and counter-productive in preventing human trafficking.

We are encouraged by the Report's consistent recognition that policy, program, and enforcement approaches should avoid conflating human trafficking and consensual sex work. We agree with the Report's suggestion that the City establish guidelines and processes for City staff so that they approach service provision with a view to promoting access to services, harm reduction, and de-stigmatization.

Finally, the Report notes that the Toronto Police Service's Human Trafficking Enforcement Team does not report undocumented people to the Canadian Border Services Agency. We agree with this approach, which is aligned with the City's Access Toronto policy, and expect it to continue moving forward.

We thank you for your consideration.

Yours truly,

A handwritten signature in black ink, appearing to read "Avvy Yao-Yao Go". The signature is written in a cursive, flowing style.

Avvy Yao-Yao Go
Clinic Director
Barrister & Solicitor