

May 27, 2019

Attn: City of Toronto
Economic and Community Development Committee
Report for Action: Supporting Survivors of Human Trafficking

To Whom It May Concern:

My name is Emily van der Meulen and I'm an Associate Professor in the Department of Criminology at Ryerson University. I've been studying sex work and human trafficking for just about 15 years. I've conducted a number of empirical studies on the topic, including research that has engaged migrant sex workers, Indigenous sex workers, drug-using workers, street-based workers, indoor workers, dancers, escorts, etc. I also conduct research in the areas of surveillance studies, drug policy, and prisons.

I want to use my 5 minutes to share some thoughts about how the city can best support people who are experiencing violence, coercion, or exploitative conditions in the sex industry – based on my research in this area.

The first thing the city needs to do is support the already ongoing activities of sex worker-run organizations. It's important to stress that these organizations should be ones that are made up primarily of current sex workers, not people who worked in the industry years or even decades ago who now may be removed from present-day industry realities.

The organizations that are best positioned to address or eradicate harmful, abusive, or exploitative conditions in the sex industry are organizations of people who are themselves working in that industry (not a city determined 'specialized support team' or anti-trafficking police taskforce).

Sex workers have insider knowledge of the various workspaces and labour arrangements, they are capable of doing outreach into areas where non-sex workers would not be welcome, and there is a level of trust and mutuality that creates a comfortable environment for other workers to disclose if they are in a problematic situation.

I see from Appendix E in the report that the city has provided resources to organizations like Butterfly and Maggie's. This should certainly continue.

Next, the city needs to develop a clear labour rights framework and support the full decriminalization of the sex industry.

Sex workers have long argued that the best way to address exploitative labour conditions, unscrupulous bosses and managers, predators who are posing as clients, and other problematic workplace experiences is to adopt a labour relations and employment standards framework. The most successful example of this is in New Zealand, which decriminalized sex work back in 2003. Of course there is still much room for improvement, even in that decriminalized context, but what New Zealand did was pass a federal law that “promotes the welfare and occupational health and safety of sex workers” (Prostitution Reform Act, 2003, Part 1. s.3a,b).

Rather than drawing on criminal law mechanisms like we do here, the federal government in New Zealand adopted a labour framework and actively worked with the country’s national sex worker rights organization to develop employment and public health policies that would benefit sex workers and their clients.

In decade and half since decriminalization, sex workers in New Zealand have reported increased occupational benefits and increased control over their work, these include: improvements to their safety and in their relationships with police; a greater ability to demand condom usage with clients; lower rates of sexually transmitted infections; and better access to sexual health services.

If it followed this approach, the City of Toronto would also be reinforcing and reinvigorating its access without fear policy instead of constantly trying to unsuccessfully address problematic conditions through the over-policing and under protection of marginalized communities under the guise of anti-trafficking.

We now have decades of scholarly research showing that anti-trafficking policies and programming – especially those which focus exclusively on the sex industry like the city report does – cause considerably more harm than help to very people who are meant to be supported. This reality – that anti-trafficking approaches are, in fact, harmful – has been borne out in the literature and in practice time and time again. There is no question about it. Even well-meaning anti-trafficking programming has a host of problematic unintended consequences.

Instead, it is important to not look to evidence-based, best-practice approaches, such as:

- 1) Supporting sex work organizations to continue the important work they are doing;

2) Ensuring labour rights and protections are afforded to all workers, but especially those who might be experiencing problematic or precarious conditions; and

3) Completely decriminalizing the sex industry so that if and when people want or need state intervention or protection they can get that support without the fear of criminal sanctions towards themselves, towards their co-workers, their clients, or their loved ones.

Sincerely,

Emily van der Meulen, PhD

Associate Professor & Undergraduate Program Director
Department of Criminology
380 Victoria St. (JOR 820)
Toronto, Ontario. M5B 2K3
416.979.5000 ext. 3010
evandermeulen@ryerson.ca