

## **Initiatives to Address Human Trafficking**

<b>Date:</b>	November 21, 2013
<b>To:</b>	Executive Committee
<b>From:</b>	Executive Director, Social Development, Finance & Administration Executive Director, Municipal Licensing & Standards
<b>Wards:</b>	All
<b>Reference Number:</b>	16144

### **SUMMARY**

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This report responds to City Council's request for coordinated efforts to address human trafficking in Toronto. A City Human Trafficking Working Group was created by Social Development, Finance and Administration to review the issue of human trafficking and to identify measures aimed to strengthen the protection of Toronto residents and communities from human traffickers; as well as to determine opportunities to improve City services for trafficked persons, especially women and children.

Twenty-one (21) City agencies, boards, commissions, corporations and divisions worked with several community-based organizations, and other orders of government to identify initiatives that would effectively respond to the needs of trafficked persons. There was support for the following working definition to be used by the City: "An act by a person, or group of people that involves recruiting, transporting or receiving persons, harbouring, luring, exercising control over a person by means of threat, use of force or other forms of coercion or influence for the purpose of exploitation, including sexual exploitation, forced labour, and/or forced marriages."

In order to address the needs of trafficked persons, the focus is placed on functional service areas. The steps include: (1) identify supports required, (2) match the City service area, (3) identify mechanism to coordinate implementation and monitor progress, (4) identify service system opportunities and challenges, (5) strengthen awareness of human trafficking issues through redesigning staff training, and developing specialized training to handle cases of human trafficking, (6) development of efficient and clear protocol on how to handle cases of human trafficking, (7) provision of protocol training to staff, and (8) systemic review and reporting of effectiveness of City's initiatives. This process will allow the City to provide a

sustainable response system for trafficked persons who are on the path to restoring their lives.

## **RECOMMENDATIONS**

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**The Executive Director, Social Development, Finance & Administration and Executive Director, Municipal Licensing & Standards recommend that:**

1. City Council direct the Executive Director, Social Development, Finance and Administration to continue to oversee the City's Human Trafficking Working Group and report on the status of the City of Toronto's initiatives to address human trafficking by February 2015;
2. City Council direct the Executive Director, Municipal Licensing and Standards, in consultation with Toronto Police Service and other stakeholders, including but not limited to organizations that serve trafficked persons, and other City divisions, as appropriate, to undertake a review of licensing bylaws concerning trades and businesses that are known to be destinations for human trafficking with the objective of establishing measures and policies aimed at addressing the consequences of human trafficking from the perspectives of health and safety, and crime prevention;
3. City Council direct the Executive Director, Municipal Licensing and Standards, in collaboration with Toronto Police Service, other orders of government and agencies, as well as other City divisions, as appropriate, to develop and deliver training specific to the needs of Municipal Licensing and Standards front-line and management staff, with the focus on the recognition of indicators of human trafficking; and to establish a protocol concerning a referral of suspected cases of human trafficking to appropriate agencies;
4. City Council request the Toronto Police Services Board / Chief of Toronto Police Service to consider the following:
  - a. to deliver training to an appropriate number of community response officers across all police divisions to recognize the indicators of human trafficking based on the definition under the Canada's Criminal Code and the City's definition outlined in this report;
  - b. to undertake a policy and procedure review concerning human trafficking investigations to include, all forms of human trafficking crimes; and
  - c. to determine the most appropriate tools to develop benchmarks to monitor all forms of human trafficking in Toronto.
5. City Council direct the Human Trafficking Working Group to work with Human Resources to develop appropriate awareness training for key front line staff on how to recognize indicators of human trafficking;

6. City Council direct that a copy of this report be forwarded to the School Boards that serve the city of Toronto, the Toronto Public Library Board, Board of Health, Toronto Transit Commission, and Toronto Community Housing Corporation Board with a request that they develop and deliver appropriate training to their front-line staff with the focus on the recognition of indicators of human trafficking, establish a human trafficking protocol when staff is aware of signs of trafficking and the process to refer services to appropriate service providers; and
7. City Council request the Ontario Press Council and the Newspapers Canada to develop anti-human trafficking guidelines/practices related to advertising, particularly in cases where there's a suspicion that the ad may involve exploitation of a minor.

## **Financial Impact**

The adoption of the recommendations contained in this report will have no financial impact in 2014. However, staff anticipate financial impact in some service areas in 2015, as the specific initiatives being considered for the City are identified. Staff will report back at the start of 2015 on these specific initiatives and the financial impact on each City agency, board, commission, and division.

The Deputy City Manager and Chief Financial Officer have reviewed this report and agree with the financial impact information.

## **DECISION HISTORY**

City Council on February 20 and 21, 2013, adopted eight Decisions outlined in Appendix B. For additional information about the report, please refer to:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.EX28.2>

During 2013, a number of key directives emerged and contributed to addressing the issue of human trafficking in Toronto:

- Undocumented Workers in Toronto – This item was addressed at City Council on February 20, 2013. A report will be forthcoming in spring 2014 to report on access to City services for all residents. Additional information may be found: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.CD18.5>
- Welfare of Immigrant Children – In July 2013, City Council adopted recommendations aimed at addressing lack of data and coordination gaps related to services for immigrant children, more specifically unaccompanied minors as well as children that arrive to Canada to be reunited with their parents and/or step parents. Staff will report back on the results in a report to the Community Development and Recreation Committee in spring 2014. Additional information may be found: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.CD22.6>

- Adult Entertainment Parlours – This report was adopted with amendments by the Licensing and Standards Committee and further by Council.. Additional information may be found:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2012.LS16.1>

A second report concerning Adult Entertainment Clubs on the outstanding issues was adopted with amendments by the Licensing and Standards Committee and further by Council in March 2013. Additional information may be found:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.LS19.1>

- Holistic and Body Rub Regulations – Municipal Licensing and Standards is reviewing the regulations by consulting with the public and other key stakeholders. The recommendations and the report have not been finalized. The review and consultations with key stakeholders on a number of outstanding issues are in progress.
- Housing Initiative for Women Who are Victims of Sexual Exploitation and Human Trafficking -- Affordable Housing Committee. Staff will work with community organizations on the requirements for creating a housing pilot initiative for trafficked women and report back by April 2014.  
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.AH7.4>
- Quality Jobs, Living Wages and Fair Wages in Toronto. City Council adopted motions that required staff to complete specific actions. Staff will report to the Executive Committee in 2014.  
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.EX33.2>
- An Integrated Service System Approach to Vulnerability. This report responds to several Council directions related to the need for improved coordination between service systems (e.g., municipal, provincial, community-based) in extreme cases involving chronic hoarding, multiple property standards and fire code violations, bed bug and other pest infestations as well as the need to train staff more broadly on their duty to serve all residents, including those facing heightened vulnerability. Staff will report to Executive Committee on December 5<sup>th</sup> 2013.  
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.MM30.6>  
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.HL19.13>  
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<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.CD18.5> (part c)

## ISSUE BACKGROUND

Human trafficking involves the recruitment, transportation and harbouring of persons and/or control of their movement for the purpose of exploitation. Trafficked persons are forced to provide their services or labour for little or no compensation. They often fear for their safety or for the safety of others. They suffer physical, sexual and/or emotional abuse and often are

forced to live and work in inhumane conditions. It is difficult for service providers to reach and assist trafficked persons who are isolated and controlled by their traffickers. Their situation is not easily recognized by others who come into contact with them. Although forced labour relates mainly to exploitation in the sex industry, construction, and other industries that depend largely on the Temporary Foreign Worker Program, e.g., agriculture, and a live-in caregiver program (Metcalf Foundation, 2013), it is also important to recognize the forced removal and selling of organs as a type of human trafficking.

The issue of Forced Marriage poses slightly different challenges from other forms of human trafficking. These issues have within them elements of non-consensual transportation, forced labour and sexual exploitation, but they are framed in terms of: a legal marriage agreement between parties; vulnerability created from complications associated with immigration and sponsorship where the trafficked person in fact may be in danger of deportation; and where sexual and labour exploitation may in fact be "legitimized" under the guise of marriage. This is a different experience from those individuals who are trafficked for the specific purpose of exploitation only.

Hence, the specificity of issues associated with Forced Marriage may require specialized focus in terms of service provider training, development of indicators and database, and communication strategies. Certain scenarios need to be kept in mind when dealing with trafficked person in a forced marriage: (1) they are not in an "illegal" arrangement with the perpetrator(s); (2) trafficked person may have no knowledge/access to their rights and/or their legal papers but are transported legally; (3) those who may be seeking services, may not qualify on the basis of eligibility if their request is seen only from the point of view of their immigration/sponsorship status; (4) if the sponsor is their "legal" spouse, the onus of proof of their eligibility/access may unduly fall on the trafficked person.

Human trafficking is commonly perceived as an international problem. However, it is important to acknowledge that this crime is not only an international but also a domestic and local problem: people are trafficked within Canada and also within cities and towns. There is a high level of trafficking of Aboriginal girls between the ages of 7-12. Data collected in 2010 shows that over 90% of trafficked cases involved domestic human trafficking, and less than 10% involved people being brought into Canada from abroad (Status of Women Canada).

The extent of trafficking is difficult to assess accurately due to difficulties in accessing the trafficked persons. As of June 2011, there were nine human trafficking crimes, and approximately 50 cases before the courts. These cases involved at least 74 accused and 141 trafficked persons. At least 17 trafficked persons were under the age of 18 years at the time the offence. Forty-five out of the 50 cases involved allegations of domestic trafficking for sexual exploitation (Department of Justice Canada). In Toronto, as of June 2013, about a dozen of human trafficking cases had reached the courts since 2012. The majority of human trafficking charges laid by Toronto Police Service were for domestic trafficking.

Sexual exploitation is one of the main objectives of traffickers. Considering that this form of forced labour impacts predominantly women (adult females, generally age 18 and over) and

girls (young females, generally under age 18), it is important to bring a gender lens to any discussion on human trafficking:

1. Deeply gendered practice: Sex trafficking and sexual exploitation may be framed within the greater context of social structure, and the oppression of girls and women by men. While most of the trafficked persons within the sex trade are women and girls, most of the people who benefit from sexual exploitation are men. Women and girls are often forced through violence or coercion into prostitution, making this both a human rights issue and a form of violence against women.
2. Women's inequality: The buying and selling of women and girls is a global and domestic practice. The practice is driven by women's inequality, poverty, racism and the undervaluing of certain groups of women, including Aboriginals and women immigrants, as well as young girls of different racial and ethnic backgrounds.
3. Violence against Women: Traffickers typically use deception and coercion to recruit and to force girls and women into prostitution. The traffickers (predominantly men) often use violence, intimidation and coercion as a means of controlling their victims. They are moved around in order to isolate them from their families, friends, and communities. As a result, the victims find it extremely difficult, often impossible, to seek help from other people or agencies.
4. Profile of victims: The childhood and life experiences typically found in the backgrounds of persons who are trafficked for the purpose of sexual exploitation include but are not limited to sexual and physical abuse, gang rape, addiction, poverty, at times through placement in a foster home, and neglect. Their life skills are often not sufficiently developed, making them an easy prey to traffickers who learn how they can manipulate them.

It should be noted that not all women involved in the sex trade are victims of human trafficking. There are women who enter prostitution voluntarily; hence, it is important to distinguish voluntary sex workers from women who are forced into prostitution by others. A group of sex trade workers consulted for the purpose of this report agreed that human trafficking within their trade was a problem, but also voiced concerns over the potential for unnecessary further criminalization of sex workers in the process of addressing human trafficking.

### **City of Toronto Definition of Human Trafficking**

The human trafficking definitions contained within the Canada Criminal Code, and the Canada's National Action Plan to Combat Human Trafficking, and one proposed by the United Nation emphasize sexual exploitation, while paying little to no attention to other types of human trafficking (Touzenis, 2010; Public Safety Canada, 2012). For this reason, a number of stakeholders suggested that the City of Toronto draft its own definition to include other forms of forced labour to raise awareness that this crime is not solely related to sexual exploitation.

The City's Human Trafficking Working Group has created a "working definition," modeled on the language used by Canada's Criminal Code and UNESCO, has been drafted. The definition of this "modern form of slavery," (Public Safety Canada, 2012) includes all types of services provided by people without their consent or proper compensation:

*Human trafficking is an act by a person, or group of people that involves recruiting, transporting or receiving persons, harbouring, luring, exercising control over a person by means of threat, use of force or other forms of coercion or influence for the purpose of exploitation, including sexual exploitation, forced labour, and/or forced marriages.*

Any proposed actions by the City of Toronto need to be analysed against this concern. The City must remain cognizant of the needs and concerns of voluntary sex trade workers as it attempts to address human trafficking.

## **COMMENTS**

The first step in determining the best approach for the City of Toronto to address human trafficking was to create the City's Human Trafficking Working Group. Social Development, Finance and Administration coordinated the development of the group by inviting key City agencies, boards, commissions, corporations and divisions (ABCCDs). Several meetings were held with the ABCCDs to determine the City's approach to address human trafficking in Toronto. As directed by City Council, the Working Group consulted with members on the six community-based groups comprised of organizations that serve trafficked persons, and other orders of government. In addition, several other organizations approached City staff to provide input. Appendix C lists the City's Human Trafficking Working Group, and the groups that were consulted.

## **Consultations**

In 2013, members on the City's Human Trafficking Working Group attended several key events to learn first-hand about the experiences and the challenges faced by trafficked persons. The objective of City staff was to understand the City's role in the area of human trafficking that would ensure that all trafficked persons have access to the services they need.

It is easier for traffickers to exploit foreign nationals who are vulnerable and often isolated, who lack knowledge of laws and local services, and who feel loyal to their culture. The traffickers take advantage of their circumstances through deception, manipulation, coercion, and, often, violence. For example, in Ontario, between 2010 and 2012, two-hundred-and-nineteen (219) people (of which 202 were women) were forced into marriages, i.e., a marriage without consent (SALCO, 2012). This is one of the main reasons why many community organizations that provide services to trafficked persons focus primarily on women and girls who immigrated or were brought in to Canada from other countries.

The stakeholders identified several service needs for trafficked persons:

- specific counselling to deal with the psychological and emotional impact;
- safe housing;
- sustainable jobs based on fair wage;
- complete education, access to funds for post-secondary education;
- harm reduction;
- proper legal representation to eliminate re-victimization;
- sustainable peer programs;
- guarantee of confidentiality, anonymity and safety;
- adequate childcare services;
- creation of an advocate-type of role within local government, as opposed to a "case manager";
- that there is provincial and federal legislation that does not allow advertisers to use minors in explicit sexual ad; and
- there should be a requirement that anyone who works with children complete a police record check.

One of the major dilemmas for trafficked persons that has been identified is the loss of personal identification, which is generally seized by the trafficker. Subsequently, the identification is either never returned to them, or it is held by the police as evidence in the criminal case. Identification documents often include: birth certificates, health cards, social security cards or numbers, passports, and driver licences. Without proper identification, trafficked persons face considerable emotional stress and have difficulties in obtaining employment, applying for housing, and obtaining several other basic needs. Therefore, it is crucial that both the provincial and federal governments find a way to expedite the process of returning identification documents to trafficked persons.

The Canadian Women's Foundation (CWF) founded the Task Force on Trafficking of Women and Girls in Canada to conduct research and to consult with experts on the issues related to human trafficking. The objective of the Task Force is to develop a National Human Trafficking Strategy that will include recommendations on prevention, service needs, government policy and legislation, public education, and training. While the final CWF's recommendations will form part of the report that is expected to be published in the summer of 2014, the Foundation raised the following key issues:

1. The average age of victims forced into prostitution for the purpose of sexual exploitation is 13 (even lower for Aboriginal girls);
2. Massage (body rub) parlours have been identified as a problem from the regulatory standpoint. Different regulations for each municipality lead to inconsistent approaches to the problem of human trafficking;
3. Certain business communities have a key role by way of establishing training protocols and procedures for front-line staff. Industries and companies have been leading in establishing training and procedures on how to recognize signs of human trafficking when serving the public, such as airlines (e.g., Air Canada), train service (e.g., Amtrak), hotels (e.g., Sheraton);



4. There is a need to establish protocols that would create barriers to advertising sex services that include human trafficking victims ("back-page advertisement"); and
5. While there is recognition that some women enter sex work voluntarily and have concerns about further criminalization by the authorities, there is greater harm in not addressing the human trafficking element that exists within the sex industry.

Stakeholders also stated it is necessary to develop appropriate training for front-line staff that encompasses: identifying human trafficking indicators, monitoring trends in human trafficking, collecting information about the indicators, collecting baseline information about trafficked persons in Toronto, and conducting an analysis of data to determine trends in trafficking. The specific steps required would include:

#### Identifying Indicators

- Researching how other agencies/jurisdictions are collecting anti-trafficking data; and
- Learning what indicators are most appropriate and feasible to track to help understand trafficking patterns.

#### Organizing systems to collect information about indicators

- Learning about and comparing the monitoring strategies in Toronto, the GTA, and other parts of Ontario, Canada, America as well as other countries;
- Development of a City of Toronto database to facilitate the collection and sharing of information about Toronto cases of human trafficking in a systematic manner, taking confidentiality and privacy issue into consideration; and
- Developing a communications strategy to ensure the consistent and timely sharing of data between sectors, taking confidentiality and privacy issues into consideration.

#### Collecting baseline information about trafficked persons in Toronto

- Gathering data from agencies in Toronto that provide assistance to trafficked persons, e.g., Covenant House, PROS, Youth, TPS.

#### Analysis of data to determine trends in trafficking

- The analysis will assist in development of policies, programs, and services that will assist the current needs of trafficked persons.

## **ADDRESSING HUMAN TRAFFICKING**

The City's Human Trafficking Working Group recommends that the City must continue its work to develop an effective approach. The Group also emphasizes the importance of having City services in place before any specific initiatives, such as a City hotline or awareness campaigns, are promoted. It is also imperative that the City's services be aligned with the programs offered by the Province and the federal government. In the meantime, residents and agencies that provide service to trafficked persons may call 311 or 211. The City's 311 is a phone number that the public can use to obtain information about City of Toronto services or programs. Residents may also contact 211, a three-digit phone number and website that provides information and referral to community and social services in Ontario.

In March 2013, the City Manager drafted a letter to the federal government expressing the City of Toronto's desire to see legislation implemented similar to the United States "*Victims of Trafficking and Violence Protection Act*," and to see the establishment of a central enforcement office under the jurisdiction of Public Safety Canada similar to the "Office to Monitor and Combat Trafficking in Persons" created by the United States Federal government. Public Safety Canada responded to the letter stating that input and suggestions will be taken into consideration as they plan for the future, while considering jurisdictional responsibilities.

### **Federal Government Initiatives**

On June 6, 2012, the Government of Canada launched the *National Action Plan to Combat Human Trafficking*, which builds on Canada's current responses and commitment to address and combat trafficking in persons under the "4Ps" – prevention, protection, prosecution and partnerships. The Federal Human Trafficking Taskforce, which is led by Public Safety Canada, and comprised of key federal departments, is responsible for overseeing the implementation of the National Action Plan and is the dedicated focal point for all federal anti-human trafficking efforts.

Following the launch of the National Action Plan, Public Safety Canada conducted online and in-person consultations with the stakeholders in the fall 2012/winter 2013, to support an enhanced understanding of the nature and scope of the issue and the needs of communities to prevent and reduce human trafficking. These recent stakeholder consultations provided valuable information and highlighted potential opportunities for future federal efforts, one of which stressed the continued importance of partnerships in addressing this crime.

Since its launch, there has been significant progress in the implementation of the National Action Plan, including, the development of general and targeted information and awareness campaigns; efforts to better protect foreign nationals coming to Canada from falling victim to this crime; enhanced partnerships to support overall efforts; and training and education for first responders and service providers. For example, in June 2011, Public Safety Canada and the British Columbia Office to Combat Trafficking in Persons launched a free online training program *Human Trafficking: Canada is Not Immune*. The training is available nation-wide to all front line service providers on how to recognize, protect and assist a person who may have been trafficked. The program provides information on the support and appropriate referral services available to trafficked persons.

### **Provincial Government Initiatives**

The Ontario government is committed to ending all forms of violence against women, including sexual violence and exploitation. In March 2011, the government launched *Changing Attitudes, Changing Lives: Ontario's Sexual Violence Action Plan*. The Government recognizes different forms of sexual violence, including sexual exploitation

through human trafficking and forced marriages, and has taken steps to address the problem. The initiatives include but are not limited to:

1. public education (e.g., through the Ontario Women's Directorate);
2. enhanced funding to sexual assault centres, women's centres and other community organizations in Northern Ontario;
3. training professionals on how to provide services and respond to women who are at risk of sexual violence from forced marriage (e.g., the Barbra Schlifer Commemorative Clinic); and
4. increased funding to the Ministry of Citizenship and Immigration to expand the Language Interpreter Services program to facilitate access the social, health care, and legal services for women who are in crisis.

In addition to establishing a Human Trafficking Advisory Committee in 2011, the Ministry of the Attorney General has also trained front-line staff at the province-wide Victim Support Line to respond to calls from or concerning trafficked persons. The callers receive referrals to local support services. Furthermore, the Ministry of the Attorney General and the Ministry of Community Safety and Correctional Services have launched various initiatives across the Province of Ontario aimed at prevention, specialized support services, and more effective enforcement and prosecution.

The provincial government is also currently funding a project that involves development of a series of training materials for service providers who work with victims of human trafficking. MCIS Language Services is in charge of the project in collaboration with the Ontario Victim Services. The training module includes an online training component and handbook, which will offer resources, tools and tips to assist agencies and organizations across Ontario in providing services to victims of human trafficking. The training will focus on human trafficking indicators, victim scenarios, first response practices, safety planning, victim stabilization and service linkages and referrals. The online training is expected to become available by December 1, 2013.

### **Municipal Government Initiatives**

Trafficking of humans for any reason is contrary to the values embedded in the Ontario Human Rights Code, as well as in the City's policy on Human Rights and anti-Harassment/Discrimination. City staff are required to take equity, diversity and human rights into consideration when developing its policies and programs, and when offering services. Accordingly, the City's initiatives to respond to human trafficking will also be considered within a human rights framework.

The City of Toronto is committed to provide sustainable and effective services that will address the issues faced by trafficked persons. While the City does not have a specific policy on human trafficking, the City's Human Trafficking Working Group is committed to developing a number of key initiatives aimed at combating human trafficking.

Appendix D is comprised of a table that summarizes eight initiatives being undertaken to address the issue of human trafficking in Toronto.

1. City Staff Training;
2. Advertising;
3. Community Support and Legal Services;
4. Social Services;
5. Employment and Labour;
6. Housing;
7. Licensing; and
8. Policing.

The first column lists the type of initiative and identifies up to four groups of human trafficking that the initiative will address: sexual exploitation, live-in caregiver, construction workers, and/or forced marriage. The second column identifies the objectives being proposed; third column list specific actions for each objective; and the fourth column list the City's Human Trafficking Working Group ABCCD(s) that will work together in 2014 to achieve the objectives.

Appendix E provides additional details of the City's Human Trafficking Working Group's initiatives. The information has been organized by agency, board, commission, corporation and division.

### **Proposed Future Direction**

The research and consultation conducted by the City of Toronto Human Trafficking Working Group over the last several months have set the stage for the development of specific initiatives aimed at addressing human trafficking in Toronto. The first important step undertaken by the Working Group was to gain an understanding of human trafficking and its impact locally, nationally, and internationally; to identify the needs of trafficked persons; and to establish the role of the City in meeting the service needs of trafficked persons. The proposed future direction include the continuation of the collaborative work among the Working Group, other orders of government, human trafficking stakeholders, including but not limited to organizations that provide services to trafficked persons; and the development of specific programs, protocols and services to meet the needs of trafficked persons in Toronto.

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## **SIGNATURES**

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## **ATTACHMENTS**

Appendix A: References

Appendix B: Human Trafficking – February 20, 2013 Decision Document

Appendix C: City's Human Trafficking Working Group & the Groups Consulted

Appendix D: Table 1-- City of Toronto Initiatives to Address Human Trafficking

Appendix E: Description of the City's Human Trafficking Working Group Initiatives

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## **Appendix B Decision History**

City Council on February 20 and 21, 2013, adopted eight Decisions outlined in Appendix B.

1. City Council direct the Executive Director, Social Development, Finance and Administration to pursue opportunities to reduce the impact of human trafficking in Toronto by doing the following:
  - a. Collaborate with existing human trafficking committees coordinated by different organizations: Public Safety Canada's National Action Plan to Combat Human Trafficking, the Ontario government's Human Trafficking Advisory Committee supported by the Ministry of the Attorney General, and four working groups comprised of organizations that serve trafficked persons: the Toronto Counter Human Trafficking Network coordinated by FCJ Refugee Centre, the Ontario Coalition Against Human Trafficking coordinated by the Alliance Against Modern Slavery, the Rotary Club of Toronto Women's Initiative Domestic Human Trafficking Project, Streetlight Support Services, Free-Them and the National Task Force of Human Trafficking of Women and Girls in Canada led by Canadian Women's Foundation;
  - b. work with other orders of government, community-based organizations, Toronto Police Service, and City divisions to design a training program to inform, educate and train City staff regarding human trafficking; and
  - c. collect data about trafficked persons, success stories, and charged and convicted traffickers to benchmark and monitor the trends in Toronto.
  
2. City Council direct the Executive Director, Municipal Licensing and Standards, in consultation with the Executive Director, Social Development, Finance and Administration, Legal Services, the Toronto Police Service and other City divisions as needed, to undertake a review and report back to the Executive Committee with recommendations outlining required enactment and/or amendment to City by-laws, including zoning provisions, and further detailing the resources and tools needed to aid in the combating of human trafficking, and strengthening the protection of vulnerable women, children and all persons from human traffickers in the City of Toronto; this review to include, but not be limited to:
  - a. investigative and Enforcement resources and tools; and
  - b. financial and Punitive resources and tools.
  
3. City Council advise the Federal Government of Canada of its desire to see legislation put in place similar to the United States' "Victims of Trafficking and Violence Protection Act", as human trafficking has dire circumstances for the residents of our country no matter where they live.

4. City Council advise the Federal Government of Canada of its desire to see the establishment of a central enforcement office under the jurisdiction of Public Safety Canada similar to the "Office to Monitor and Combat Trafficking in Persons" created by the United States Federal government.
5. City Council request the Executive Director, Social Development, Finance and Administration to work in conjunction with the Fair Wage Office, the Director, Purchasing and Materials Management, and the City Solicitor, to review Human Trafficking laws in other jurisdictions, including the United States, to see how they deal with anti-trafficking provisions, in particular, for contractors and sub-contractors for supplies and services; this work should be done in parallel to the work already in progress on a report being prepared on a living wage, quality jobs, and contracting out, as previously requested by the Executive Committee.
6. City Council direct the General Manager of Shelter, Support and Housing Administration and the Executive Director, Social Development, Finance and Administration to develop, in conjunction with the organizations and stakeholders identified in Part 1 above, detailed policies and protocols regarding legal assistance, crisis intervention, affordable housing, medical services and skill development opportunities for victims of trafficking and to report back to the Executive Committee in the fourth quarter of 2013.
7. City Council direct the Executive Director, Social Development, Finance and Administration to include in the report due back to Executive Committee in Part 2 above, the role of the City of Toronto in identifying and implementing best practices for reducing the frequency of human trafficking, identifying and implementing best practices for policing against human trafficking, identifying and implementing best practices for establishing safe houses for victims of human trafficking and eradicating human trafficking within the City of Toronto.
8. City Council request the Executive Director, Social Development, Finance and Administration, in consultation with the Director, Strategic Communications, to include as part of the report back to the July 3, 2013 meeting of the Executive Committee, the feasibility of creating measures and reviewing policies, including but not limited to the City of Toronto's advertising policy and policies regarding the distribution of publications in City-owned spaces, that would disassociate the City from the sex trade and escort services, or other activities linked to human trafficking or the exploitation of women, children or other vulnerable populations

For additional information about the report, please refer to:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.EX28.2>



## **Appendix C**

### **City's Human Trafficking Working Group & the Groups Consulted**

#### City's Human Trafficking Working Group:

- 311 Toronto
- Affordable Housing Office
- Children's Services
- City Manager's Office:
  - Equity, Diversity, and Human Rights; Human Resources; and Strategic Communications
- Court Services
- Emergency Medical Services
- Employment & Social Services
- Facilities Management
- Fire Services
- Legal Services
- Municipal Licensing and Standards
- Parks, Forestry & Recreation
- Public Health
- Shelter, Support & Housing Administration
- Social Development, Finance & Administration
- Toronto Community Housing
- Toronto Police Service
- Toronto Public Library
- Toronto Transit Commission

#### Groups Consulted, as directed by City Council:

- Toronto Counter Human Trafficking Network coordinated by FCJ Refugee Centre;
- Ontario Coalition Against Human Trafficking coordinated by the Alliance Against Modern Slavery;
- Rotary Club of Toronto Women's Initiative Domestic Human Trafficking Project;
- Streetlight Support Services;
- Free-Them;
- National Task Force of Human Trafficking of Women and Girls in Canada led by Canadian Women's Foundation;
- Human Trafficking Advisory Committee supported by the Ministry of the Attorney General for the Province of Ontario; and
- Public Safety Canada's National Action Plan to Combat Human Trafficking.

#### Representatives from other groups who participated in the consultation process:

- Aboriginal Legal Services;
- Covenant House;
- Maggie's: The Toronto Sex Workers Action Project;
- SALCO – The South Asian Legal Clinic of Ontario;
- South Riverdale Community Health Centre;
- The Evaluation Center for Complex Health Interventions; and
- Toronto Women's City Alliance.

## Appendix D

### Table 1: City of Toronto's Initiatives to Address Human Trafficking

Initiatives and Type of Human Trafficking (HT)	Objectives	Specific Actions	City of Toronto Human Trafficking Working Group Members/other stakeholders to be involved
<p><b>Initiative:</b> City Staff Training</p> <p><b>Types of HT:</b> Sexual exploitation Live-in caregiver Construction Worker Forced marriage</p>	<ul style="list-style-type: none"> <li>• To develop and deliver general training on HT for front-line staff, depending on the job responsibilities</li> <li>• To develop and deliver specialized training on the recognition of signs of human trafficking and efficient and clear protocol on how to handle cases of human trafficking for front-line staff who are most likely to encounter human trafficking situations</li> </ul>	<ul style="list-style-type: none"> <li>• To develop the Guide to Good Practise, a City of Toronto general training resource on providing services to vulnerable residents that will include training on the indicators of human trafficking.</li> <li>• To deliver the Guide to Good Practise training to the City front-line providers and management staff who are most likely to encounter human trafficking situations.</li> <li>• To develop specialized training for Municipal Licensing and Standards officers who enforce licensing bylaws</li> <li>• To develop specialized training for Toronto Fire Services emergency first-responders and Fire Prevention officers who inspect private dwellings.</li> <li>• To include a HT training module (based on the Guide to Good Practise) in the TTC's training programs and materials.</li> </ul>	<ul style="list-style-type: none"> <li>• Human Resources</li> <li>• Municipal Licensing and Standards</li> <li>• Emergency Management Services</li> <li>• Fire Services</li> <li>• Toronto Transit Commission</li> <li>• Social Development, Finance and Administration</li> <li>• Parks Forestry and Recreation</li> <li>• Toronto Public Library</li> <li>• Public Health</li> <li>• Children's Services</li> <li>• Employment and Social Services</li> <li>• Fare Wage Office</li> <li>• Affordable Housing Office</li> <li>• Shelter, Support and Housing Administration</li> <li>• Toronto Community Housing Corporation</li> <li>• Equity Diversity &amp; Human Rights</li> </ul>

Initiatives and Type of Human Trafficking (HT)	Objectives	Specific Actions	City of Toronto Human Trafficking Working Group Members/other stakeholders to be involved
<p><b>Initiative:</b> Advertising</p> <p><b>Type of HT:</b> Sexual Exploitation</p>	<ul style="list-style-type: none"> <li>To determine the feasibility of implementation anti-HT measures concerning advertisement of business services associated with sexual exploitation (e.g. body rub parlours)</li> </ul>	<ul style="list-style-type: none"> <li>To request the Ontario Press Council and Newspapers Canada to develop anti-human trafficking guidelines/practices related to advertising, particularly in cases where there's a suspicion that the ad involves exploitation of a minor.</li> <li>To review the applicable licensing bylaws to determine the feasibility of including anti-HT measures related to advertising.</li> </ul>	<ul style="list-style-type: none"> <li>Strategic Communications (City Manager's Office)</li> <li>Municipal Licensing and Standards</li> <li>Toronto Police Service</li> </ul>
<p><b>Initiative:</b> Community Support and Legal Services</p> <p><b>Types of HT:</b> Sexual exploitation Live-in caregiver Construction Forced marriage</p>	<ul style="list-style-type: none"> <li>Development of meaningful and sustainable local support to vulnerable, marginalized and high-risk communities, taking into consideration the specific safety and violence-prevention needs.</li> <li>Development of a legal assistance programs to serve the needs of trafficked persons who often face legal barriers when recovering from the HT experience.</li> </ul>	<ul style="list-style-type: none"> <li>To continue to support to community-based within marginalized and high-risk communities.</li> <li>To consider a creation of a community organization/agency that will assist trafficked persons to navigate the legal process and to understand their rights and obligations.</li> </ul>	<ul style="list-style-type: none"> <li>Social Development, Finance and Administration</li> <li>Court Services (as needed)</li> <li>Legal Services (as needed)</li> </ul>
<p><b>Initiative:</b> Social Services</p>	<ul style="list-style-type: none"> <li>Development of social services programs aimed at assisting</li> </ul>	<ul style="list-style-type: none"> <li>To amend the Child Care Fee Subsidy Manual to include service to families who are experiencing</li> </ul>	<ul style="list-style-type: none"> <li>Children's Services</li> </ul>

Initiatives and Type of Human Trafficking (HT)	Objectives	Specific Actions	City of Toronto Human Trafficking Working Group Members/other stakeholders to be involved
<b>Types of HT:</b> Sexual exploitation Live-in caregiver Construction Worker Forced marriage	trafficked person on their path to recovery from the HT experience.	difficulties due to living in a trafficked situations. <ul style="list-style-type: none"> <li>To continue free access to key City services, such as public libraries, or public health to receive immunization, prenatal, postpartum, harm reduction and sexual health services without providing information about immigration status</li> </ul>	<ul style="list-style-type: none"> <li>Toronto Public Health</li> <li>Toronto Public Library</li> </ul>
<b>Initiative:</b> Employment and Labour  <b>Types of HT:</b> Sexual exploitation Live-in caregiver Construction Worker Forced marriage	<ul style="list-style-type: none"> <li>To provide assistance with obtaining employment and related counselling to trafficked persons</li> <li>To provide assistance with addressing concerns related to unfair or unpaid wages</li> </ul>	<ul style="list-style-type: none"> <li>To continue the established protocol for providing services to vulnerable and at-risk persons who may be experiencing emotional, physical or mental trauma.</li> <li>To continue to allow for a short-term waiver of the requirement to provide identification.</li> <li>Increasing efforts to assist the trafficked person in obtaining the required documentation</li> <li>To continue to address wage concerns when workers employed by City contractors or sub-contractors, e.g., underpayment, cash payments, non-payment, unpaid overtime.</li> </ul>	<ul style="list-style-type: none"> <li>Employment and Social Services</li> <li>Affordable Housing Office</li> <li>Shelter, Support and Housing Administration</li> <li>Community agencies</li> <li>Fare Wage Office</li> </ul>
<b>Initiative:</b> Housing  <b>Types of HT:</b> Sexual exploitation Live-in caregiver Construction Worker Forced marriage	<ul style="list-style-type: none"> <li>To provide for emergency housing to the trafficked persons, particularly women who were sexually exploited</li> <li>To provide assistance in finding affordable housing</li> </ul>	<ul style="list-style-type: none"> <li>To investigate creating a housing opportunity pilot initiative for five to ten young women who are victims of sexual exploitation and human trafficking.</li> <li>To deliver a report on the above pilot to the Affordable Housing Committee by April 2014 on potential community partners; potential location; Potential source of available City capital funding such as the Mayor's Homelessness Reserve Fund; and Stakeholder consultation.</li> </ul>	<ul style="list-style-type: none"> <li>Affordable Housing Office</li> <li>Toronto Community Housing</li> <li>Shelter, Support and Housing Administration</li> </ul>

Initiatives and Type of Human Trafficking (HT)	Objectives	Specific Actions	City of Toronto Human Trafficking Working Group Members/other stakeholders to be involved
		<ul style="list-style-type: none"> <li>• To develop and deliver information sessions on human trafficking in partnership with community agencies and homeless service providers to local residents.</li> <li>• To continue to provide referrals to a wide range of services based on individual client need, including health care services, legal services, housing services, and crisis intervention.</li> </ul>	
<p><b>Initiative:</b> Licensing</p> <p><b>Types of HT:</b> Sexual exploitation Live-in caregiver Construction Worker Forced marriage</p>	<ul style="list-style-type: none"> <li>• To develop and implement measures aimed in addressing human trafficking through City bylaws</li> </ul>	<ul style="list-style-type: none"> <li>• To review applicable licensing bylaws from the perspective of health and safety, crime prevention; and enforcement practices, including the inspection protocols concerning businesses and trades identified as potentially linked to human trafficking.</li> <li>• To establish a protocol concerning a referral of suspected cases of human trafficking to appropriate agencies.</li> </ul>	<ul style="list-style-type: none"> <li>• Municipal Licensing and Standards</li> </ul>
<p><b>Initiative:</b> Policing</p> <p><b>Types of HT:</b> Sexual exploitation Live-in caregiver Construction Worker Forced marriage</p>	<ul style="list-style-type: none"> <li>• To identify measures within the Toronto Police Service policies and practices aimed to improve the police response to all forms of human trafficking and assistance to trafficked persons.</li> </ul>	<ul style="list-style-type: none"> <li>• To request that the Chair of Toronto Police Services Board / Chief of Toronto Police Service consider: <ol style="list-style-type: none"> <li>1. to train an appropriate number of community response officers across all police divisions;</li> <li>2. to undertake a policy and procedure review concerning human trafficking investigations to include, all forms of human trafficking crimes; and</li> <li>3. to determine the most appropriate tools to develop benchmarks to monitor all forms of human trafficking in Toronto.</li> </ol> </li> </ul>	<ul style="list-style-type: none"> <li>• City Manager's Office</li> <li>• Social Development, Finance and Administration</li> </ul>

## **Appendix E**

### **Description of the City's Human Trafficking Working Group Initiatives**

#### **Human Resources**

Divisions that have front-line staff who are most likely to encounter human trafficking situations will require specialized training about how to recognize the signs of human trafficking and efficient and clear protocol of referring suspected cases of human trafficking to the Toronto Police Service. Divisions that will require training tailored to their specific roles include; Municipal Licensing and Standards' officers who enforce licensing bylaws (e.g., adult entertainment clubs, body rub parlours); Toronto Fire Services staff who are first-responders to emergencies and Fire Prevention officers who attend private properties to conduct inspections for the purpose of fire safety.

The Human Trafficking Working Group will conduct a needs assessment and determine what materials, resources and agencies are available to do specialized training to support divisional, role specific training. The ABCCDs that are part of the City's Human Trafficking Working Group will pilot whatever training is developed based on vulnerable population resources and materials to recognize signs of human trafficking.

The City of Toronto is developing a training resource which links Service to Vulnerable populations and the Guide to Good Practise. It will include materials to raise awareness about the signs of all forms of human trafficking. Divisions will determine the most appropriate and relevant way to raise staff awareness about trafficking.

#### **Strategic Communications**

Strategic Communications staff are not recommending any changes to the City's advertising policies that would disassociate the City from advertising in publications that promote the sex trade and escort services. There are a number of reasons for this recommendation.

It is important that one does not confuse sex work with human trafficking. There are men and women working freely in the sex trade. Many anti-trafficking steps taken internationally have been anti-sex work. It is impossible to identify someone's status based on an advertisement. End-the-demand policies, such a prohibiting advertising in forums that are perceived as promoting human trafficking, may threaten the ability for sex workers to advertise their services safely.

Many community groups feel that efforts to shut down adult services advertisements are misguided approaches to combat human trafficking. It is unlikely that traffickers will be dissuaded by the absence of print forums or websites. They will more likely scatter to other sites, which are less structured and harder to monitor. Trafficking that occurs in hidden locations with no public profile is much harder to find, investigate and stop.

Law enforcement agencies have stated that the existence of sex trade advertising may make it easier to investigate and combat human trafficking. Information provided by traffickers in

these ads and on the internet can provide investigative leads for law enforcement. It is just one of many investigative tools available to law enforcement professionals. .

Finally, the City of Toronto is committed to providing all residents and businesses with equitable access to information, services and programs. If the City were to cease advertising with publications that promote the sex trade and escort services, i.e., Toronto Sun and NOW magazine, the City would lose the ability to communicate with a key demographic. Additionally, changes to the City's advertising policy would affect the City's ability to communicate with ethnic groups via ethnic publications. According to community groups, traffickers use these publications to advertise forced labour and forced marriage.

Given that the research has not shown that reducing advertising in these publications will effectively deter human traffickers and that there will be an adverse on the City's ability to communicate with all of its residents, staff are not recommending any changes to the City's advertising policy at this time. Staff are, however, recommending that the City request that the Ontario Press Council and Newspapers Canada develop protocols that would create barriers to advertising sex services that include human trafficking victims.

### **Social Development, Finance and Administration**

Social Development, Finance and Administration (SDFA) will request that staff who implement the Community Crisis Response Program also participate in the Guide to Good Practice training. This will help in recognition of the signs of a trafficked person when staff are providing support and resources to communities impacted by a violent and traumatic incident, which at times, arise due to sex trade activities.

Through the Community Safety Investment funding program, SDFA awarded Toronto Counter Human Trafficking Network funds to plan a series of roundtable workshops over several months to facilitate a dialogue between multi-sector stakeholders. The workshops will help develop protocols and best practices for addressing the issue of human trafficking in the City of Toronto by establishing connections and by monitoring and evaluation.

SDFA will continue to provide support to community-based services that interact directly with vulnerable, marginalized and high-risk communities, linking it to specific safety and violence prevention needs.

### **Employment and Social Services**

Employment and Social Services provides employment supports, financial benefits and social supports to people living in Toronto. Employment Centres are open to all Toronto residents. Staff provide a range of services including helping people with:

1. finding a job or the training they need to find work;
2. accessing financial benefits available through the Ontario Works program, and
3. connecting to health, housing, childcare and other social services.

Through regular contacts and an ongoing assessment of the person's needs, a mutually agreed-upon service plan is established. Access and referrals to other services and programs are provided based on the individual circumstances. Employment and Social Services has established protocols for providing services to vulnerable and at-risk persons who may be experiencing emotional, physical or mental trauma and who may be unable to comply with eligibility requirements. The requirement to provide the identification may be waived for a short time, and all efforts will be made to assist the resident in obtaining the required documentation. There are partnerships with community agencies that may assist in obtaining identification, housing/homelessness, counselling and other services that will assist residents.

Service is available in English and French. Language lines are available in Russian, Chinese, Farsi/Persian and American Sign Language.

### **Children's Services**

Toronto Children's Services (TCS) promotes access to high quality early learning, child care and supports to families through a well-planned and managed system. A child care fee subsidy helps families in financial need with the cost of care. Priority admission is already given to "a child in a shelter/hostel." TCS will amend sections of the Child Care Fee Subsidy Manual to add: "families that are experiencing issues as a result of parents being victims of human trafficking."

### **Toronto Transit Commission**

The Toronto Transit Commission (TTC) has a long history of providing assistance to customers and other people in need. Programs such as the Safety Partner program, Request Stop program and Security training for front-line employees set the tone for the whole organization.

All employees that work in locations with public access are trained to offer assistance and report illegal activity to the TTC's Transit Control Centre. The Transit Control Centre has specific protocols to follow depending on the type of assistance required. Front line employees are also trained on how to provide reassurance and protection to the threatened person until the appropriate personnel arrive to assume responsibility for the situation. While these systems and training are not specifically aimed at providing assistance to victims of human trafficking, any person who is a victim can access the TTC's assistance by approaching any front-line employee.

All TTC training programs and materials are under periodic review for new and updated information. As part of this ongoing review, any training content to address human trafficking will be reviewed and evaluated for inclusion in future training programs.

### **Public Health**

Toronto Public Health (TPH) strives to reduce health inequities and improve the health of the whole population. Guided by the Ministry of Health and Long Term Care Ontario Public Health Standards and Protocols and the City of Toronto Board of Health, policies and



practices are developed and implemented to prevent the spread of disease, promote healthy living and advocate for conditions that improve the health of all residents of Toronto. TPH depends on surveillance and the monitoring of health status as well as community collaboration to inform our policies and practices and to ensure our programs and services are evidence-based and appropriate for all Toronto residents.

Given the scope of TPH's work with vulnerable populations, staff have contact knowingly and unknowingly with trafficked persons. Currently, TPH does not require information about immigration status; therefore, trafficked persons can access any public health service including immunization, prenatal, postpartum, harm reduction and sexual health services. As the City goes forward to address the needs of trafficked persons, specific outreach strategies and public health interventions, based on best practices, if not already in place, will be developed.

### **Fair Wage**

In addition to agriculture, manufacturing, domestic work, prostitution, etc., construction is also a common sector in which workers are being trafficked and exploited for the purpose of forced labour. Workers are often enticed by attractive job offers overseas; however, upon arrival to western countries, find themselves forced to work for lesser pay they originally agreed to. Workers who may be lured to urban areas, such as Toronto, as cheap labour, end up working long hours at construction sites for little or no pay. Questionable recruiting methods are employed as workers have to pay their debt and have no choice but to accept poor working and living conditions arranged by unscrupulous recruiters.

Attracting construction workers are a challenge to various orders of government, and the lack of skilled and unskilled trades in the construction industry has attracted workers from around the world to the Greater Toronto Area. These workers typically tend to work in construction on different work sites, after normal working hours, and on short-term assignments. They are primarily employed by independent, small business operators.

In general, these workers are reluctant to report unfair employment practices for fear that bringing themselves to the attention of the authorities may jeopardize their stay in the country. They may also face language barriers in seeking assistance. City contractors are required to pay their workers "fair wages" for work performed and to ensure that certain workplace wage standards are complied with.

Workers employed by contractors or sub-contractors experience underpayment of wages, underreporting of the hours worked, cash payments, non-payment, unpaid overtime, banked overtime hours, non-payment of benefit, off -the-clock violations and late payments.

The Fair Wage Policy addresses such issues by ensuring contractors and sub-contractors meet wage standards set by City Council, as part of a vendor's contract, with enforcement action when non-compliance is determined. The Policy does not differentiate workers status, and complainants are not required to disclose their precarious work situation to the Fair Wage Office when filing a complaint. The Manager, Fair Wage Office must report and recommend to the Government Management Committee that companies found in violation of

the Fair Wage Policy in two separate instances over a period of three years be disqualified from conducting business with the City for a period of two years.

The treatment of workers like slaves, a form of human trafficking, on construction jobs sites without pay, has been reported in a large Ontario city. The issue of human trafficking, and companies and individuals convicted of exploiting workers in this manner have complex legal underpinnings and involvement of federal and provincial authorities. However, in the course of any investigations on a City construction site and head office payroll inspection undertaken by the Fair Wage Office, any indication of human trafficking that is detected shall be brought to the attention of appropriate authorities for their action and consideration.

Municipalities have limited jurisdiction and need to work closely with other orders of governments and agencies. The City's procurement framework and the utilization of the Fair Wage policy to meet the complex human trafficking will require significant resources for enforcement efforts.

## **Housing**

Shelter, Support and Housing Administration (SSHA) provides temporary shelter and support services for homeless individuals and families, creates permanent affordable housing solutions, and funds and administers social housing in Toronto. SSHA oversees direct service delivery through shelters, Streets to Homes and drop-ins where trafficked persons are most likely to be encountered. Shelters, Streets to Homes and drop-ins offer case management supports that provide referrals to a wide range of services based on individual client need, including health care services, legal services and housing services, and crisis intervention as standard programming.

Shelters have to abide by Toronto Shelter Standards. Shelter Standards addresses service deliver concerns expressed during the consultations on human trafficking in the area of identification, curfew, case management and supports, and training. Shelter clients often do not have identification when seeking assistance; shelters are directed to assist with attaining it. Curfew to access shelter is to be flexibly enforced to support clients involved in the sex trade. Shelter Standards also identifies mandatory training in crisis intervention, anti-racism/anti-oppression and case management for staff in all city-funded shelters. Additionally, substance use and harm reduction training are recommended.

SSHA directly operates two access points to the shelter system, Central Intake and Streets to Homes Assessment and Referral Centre. These two services specialize in assessing the needs of people seeking assistance, determining eligibility to enter the shelter system and, where appropriate, referring to community agencies and resources best equipped to serve the client. Given the volume of requests received by these services, it is feasible that they would have encountered trafficked persons. It will be necessary to equip the staff with resources, information, as well as training, as the City develops these tools.

SSHA will take the opportunity to increase awareness of human trafficking in staff providing direct service in city-funded shelters, agencies and drop-ins. SSHA will partner with

community agencies and homeless service providers to develop and deliver information sessions on human trafficking over the coming year.

At the Affordable Housing Committee on October 29, 2013 the following was proposed: a Housing Initiative for Women Who are Victims of Sexual Exploitation and Human Trafficking. The Director, Affordable Housing Office, and the Executive Director, Social Development, Finance and Administration, will work with the General Manager, Shelter, Support and Housing Administration, and the President and Chief Executive Officer, Toronto Community Housing, to investigate creating a housing opportunity pilot initiative for five to ten young women who are victims of sexual exploitation and human trafficking. A report will be presented to the Affordable Housing Committee by April 2014 on:

1. Potential community partners (with information to be provided confidentially where necessary);
2. Potential location (with information to be provided confidentially where necessary);
3. Potential source of available City capital funding such as the Mayor's Homelessness Reserve Fund; and
4. Stakeholder consultation.

### **Licensing and Standards**

Municipal Licensing and Standards (MLS) has been working closely with the Social Development, Finance and Administration on the review of the service needs and future direction aimed at addressing human trafficking and assisting trafficked persons in Toronto. The role of MLS relates mainly to licensing bylaw review, administration and enforcement, and the inspections of business and trades establishments potentially linked to human trafficking. Considering that MLS officers also attend private dwellings to enforce property standards and conduct inspections of rooming houses, there is a potential for encountering situations where there could be signs of human trafficking.

MLS has a wide spectrum of responsibilities, which includes review, drafting, implementation, and enforcement of licensing bylaws, particularly in the area of adult entertainment establishments, such as Adult Entertainment Clubs and Body Rub Parlours. The City may pass bylaws for many purposes including health, safety and well-being of persons; economic, social and environmental well-being of the City; and protection of persons and property, including consumer protection; and business licensing. Routine inspections of stationary and mobile businesses, including trades, and investigations of public complaints by MLS licensing enforcement officers aim at ensuring compliance with City regulations. MLS is also responsible for enforcing the property standards in relation to public buildings and private dwellings, including apartment buildings. MLS inspectors, in responding to public complaints, attend and inspect public and private properties.

Police sources have indicated that human traffickers will move the victims, primarily women, who have difficulties with obtaining a license in the jurisdictions where a licensing regime exists, to jurisdictions where there is no such regime, i.e., Peel Region or London. As a result, the lack of a licensing requirement for the business establishments that are known to

be destinations for human trafficking victims, such as Adult Entertainment Clubs and Body Rub Parlours, may facilitate human trafficking and certainly the recruitment of under-age women and men. MLS considered human trafficking and had consulted with several anti-human trafficking organizations when conducting a review of the Adult Entertainment Clubs bylaw between May 2012 and March 2013. The issue of human trafficking is also being considered in the review of the Body Rub Parlours bylaw currently in progress.

It should be noted that there is currently a challenge of certain aspects of prostitution laws before the Supreme Court of Canada. The decision of the Court, anticipated within the first six months of 2014. This may affect how the City approaches licensing of adult entertainment establishments.

### **Toronto Police Service**

Currently, human trafficking investigations are housed within Special Victims Section of the Sex Crime Unit in one central location at the Toronto Police Service (TPS) Headquarters at 40 College St. TPS divisions across the city do not have officers specifically assigned to human trafficking investigations. Human trafficking investigations relate to offences that involve sex trade workers as victims and are generally a result of discovery of information during the course of the investigation into sex offences. Human trafficking that includes other forms of forced labour and forced marriages do not come under the scope of the Section.

At present, the Special Victims Section is comprised of three (3) investigative officers, which poses a question of the effectiveness of the team in dealing with the complex cases of human trafficking, particularly considering the barriers to accessing victims of this crime. The Section is currently undergoing a review of its responsibilities and its ability to effectively respond to the victims of human trafficking. Future considerations include narrowing of the Section's mandate to deal with victims who are 18 years of age and under. It has been suggested that the response to offences of human trafficking, especially on the international level, may be best handled by another unit within TPS to effectively and appropriately respond to these matters. In the meantime, the Section will continue to investigate human trafficking offences within the sex trade.

In each TPS division the Detective in charge of the Family Services is typically the person who refers the HT cases to the Special Victims Section. It has been suggested that the Detective also undertake the updating its division on the current investigative issues and trends in human trafficking. Considering that front-line officers outside of the Section receive limited to no training on human trafficking, this form of dissemination of information would be of benefit. It has been also suggested that the community response officers and TAVIS teams receive appropriate training on human trafficking during the required week-long Community Mobilization Course at the Toronto Police College.

As of June 2013, about a dozen of human trafficking cases had reached the courts since 2012. None of the cases was related to a human trafficking ring. The majority of human trafficking charges laid by TPS were for domestic trafficking. While these types of offences are not a new phenomenon, the 2005 Criminal Code of Canada amendment that added the specific offence of human trafficking assisted in laying the charges where appropriate. The

investigations are complex and often difficult, as the victims are often reluctant to testify out of fear of retaliation from the traffickers. The victim of human trafficking is not charged by TPS for her involvement in the sex trade. If the victim is under 16 years of age, Children's Aid Society is called to assist with the case.

### **Legal and Court Services**

Within the City of Toronto there are several courthouses where services are available to victims of crime. The City of Toronto administers court matters respecting provincial statutes and by-laws. The Provincial Government administers court charges including those contained in the Criminal Code of Canada along with Family Law, and matters involving young persons and Civil Law.

However, such services do not always meet the specific needs of trafficked persons. For example, obtaining pardons and navigating the criminal process proves very challenging to many of them. A number of barriers exist, such as language, lack of knowledge of laws, and lack of adequate assistance. Some stakeholders suggested that the City fund (through a grant, for example) an organization/agency that will assist trafficked persons to navigate the legal process and to understand their rights and obligations.