

May 26, 2021

Executive Committee
City of Toronto

VIA EMAIL

Dear Councillors:

We are writing in support of Councillor Wong-Tam's motion to call on the government of Ontario to withdraw Bill 251, *Combating Human Trafficking Act*, and consult with sex workers and other impacted communities.

As a poverty law clinic that provides supports to migrant workers and sex workers, we are very concerned with Bill 251, *Combating Human Trafficking Act*. This troubling Bill relies on a law enforcement model that has been and will continue being ineffective in addressing human trafficking. This model falsely conflates sex work with human trafficking. As a result, racialized communities and sex workers would be unjustifiably targeted, detained, and questioned by police which poses serious privacy and human rights concerns. Additionally, due to this targeting, sex workers are discouraged from actually seeking help from law enforcement when they are most at risk. Lastly, this model, rather than stop sex trafficking, often facilitates exploitation and violence against sex workers. For more information on the impact of current anti-trafficking models, we encourage you to review the various publications and research by Butterfly, Asian and Migrant Sex Workers Support Network, at <https://www.butterflysw.org/publication>.

We are also very concerned by the disproportionate amount of power Bill 251 will allocate to the human trafficking inspectors. Through Bill 251, inspectors will be allowed to enter into sex workers' workplaces without cause or a warrant to interrogate and detain them. Workers will not be allowed to refuse to answer which is a contravention to the constitutional right to silence. Furthermore, the powers granted by this Bill will not only affect sex workers, but many other populations in Toronto. Under Bill 251 inspectors will be able to enter hotels and other rentals without a warrant and request all guests' information as well as question any individual on any matter related to the inspection. Non-compliance would be a punishable offence, subject to fines of \$50,000 per individual.

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Bill 251 fails to meaningfully address human trafficking and in reality ignores the real drivers of exploitation and violence. Bill 251 is moving entirely in the opposite direction of what marginalized communities need and are demanding. Thus, City Council should denounce Bill 251. Furthermore, City Council should pass Councillor Wong-Tam's motion to call on the Government of Ontario to immediately consult with sex workers and other affected communities. Furthermore, Bill 251 should be amended to include an anti-human trafficking strategy that is rooted in human rights, including labour rights and migrant rights, and that addresses the numerous structural barriers including poverty, precarious immigration status, and lack of access to affordable housing, health and social services that contribute to the risks of human trafficking. This would be far more effective than any of the activities that Bill 251 currently proposes.

Yours truly,

A handwritten signature in black ink that reads "M. Gellatly". The signature is written in a cursive, flowing style.

Mary Gellatly

PARKDALE COMMUNITY LEGAL SERVICES