

Executive Committee
City Hall, Committee Room 1
100 Queen Street West
Toronto ON M5H 2N2

Re: Recommendations to Consult and Amend Bill 251, Combating Human
Trafficking Act

May 28, 2021

Dear Chair and Council Members

Globally, anti-trafficking has been demonstrated time and again – through rigorous studies and research - to be systematically racist and colonial, to conflate trafficking with sex work/prostitution, to be anti-migrant worker and to be unsupportive of youth and child rights. Anti-trafficking interventions especially target and harm Black, Asian and Indigenous women, migrant workers, and youth. Indeed, any minor (under the age of 18) involved in sexual transactions is automatically deemed trafficked in most countries. Anti-trafficking laws and policies rely on surveillance, policing and immigration controls, rather than support for empowerment, rights and justice, and this Bill will further those trends.

Bill 251 will place marginalized groups in situations of greater vulnerability to being apprehended, detained, criminalized, deported, sent back to situations of violence, and robbed of their livelihoods. It will in general increase the level of policing in people's everyday lives and raise the level of distrust of the police amongst these communities. It will be counterproductive, if the real concern is to assist and support the vulnerable and marginalized.

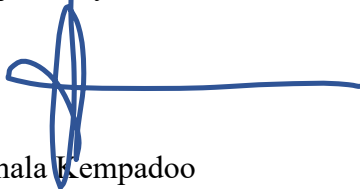
Campaigns that flow from anti-trafficking laws and policies that are designed to “save the children”/save the poor “third world” or “native” woman/save women from prostitution, do not work - and this has also been well documented around the world, including for Canada. Such rescue campaigns – what some refer to as “the white saviour complex” - are too often feel-good projects of privileged white people predominantly in and of the global north, that uphold paternalism, racism and colonialism, and are inherently anti-sex work. They are very moralistic, often religious-inspired, and do not respect the decisions that women, queer and trans people, migrant workers and minors make about their lives, especially if they are racialized or indigenous. As the recent issue devoted to the subject of trafficking in minors, of the *Anti-Trafficking Review* – an academic journal – reminds us “If there is one topic in the trafficking discourse that evokes particularly emotional outrage and a passionate, oftentimes moralistic ‘call to arms’, it is child trafficking.” (Oude Breuil and Gerasimov, 2021, p. 2).

<https://www.antitraffickingreview.org/index.php/atrjournal/issue/view/25>

Typically, this outrage about the idea of “child trafficking” lands us in media spectacles and glamour for the saviours, and lots of fundraising to pay predominantly salaries and wages for those involved in carrying out anti-trafficking work. Impact on the lives of the youth is negligible. Other researchers point out that the issue of child trafficking leads to “‘quick-fix’, repressive solutions” - which is what seems to be happening through this bill in Ontario. We are being led to believe that passing more policing laws and regulations will save the children (or the “girl next door” as it is sometimes framed), without any real data about the minors, or any interest in improving the socio-economic and political and structural causes of inequality for children and youth. (See, for example: Durisin, Elya M and Emily van der Meulen, ‘The Perfect Victim: “Young girls”, domestic trafficking, and anti-prostitution politics in Canada’, *Anti-Trafficking Review*, Issue 16, 2021, pp. 145-149 <https://doi.org/10.14197/atr.201221169>)

What is really needed is a bill that puts funding not into surveillance, policing and criminal law or a moral appeal to “save the children,” but into education, empowerment and community services that strengthen sex workers’, migrants’ and queer and young people’s rights, and rests on ideas of gendered, racial, social and economic justice. The City of Toronto should not be a leader today in harming racialized, marginalized or sex working communities, or its young people but needs to set an example of respecting and supporting human, migrant, sex worker and youth rights and of leading the way in anti-racism.

Respectfully

A handwritten signature in blue ink, consisting of a stylized, overlapping loop followed by a long horizontal stroke.

Kamala Kempadoo

Professor of Social Science at York University, with over 25 years of experience with research, teaching and writing on anti-trafficking programs policies and laws.

2020-2021 Craig M. Cogut Visiting Professor
Brown University

Email: kempadoo@yorku.ca