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ROYAL CANADIAN MOUNTED POLICE

HIDDEN ABUSE - HIDDEN CRIME

The Domestic Trafficking of Children and Youth in Canada:
The Relationship to Sexual Exploitation, Running Away
and Children At Risk of Harm

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Spring 2010



Royal Canadian
Mounted Police

Gendarmerie royale
du Canada

Canada

HIDDEN ABUSE – HIDDEN CRIME

The Domestic Trafficking of Children in Canada: The Relationship to Sexual Exploitation, Running Away and Children at Risk of Harm

FINAL REPORT

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Dedication to Dona Zilda

Dona Zilda, Brazilian champion to reduce infant mortality rates, doctor, aid worker, 2006 Nobel Peace Prize nominee, and much more, was a recent earthquake victim while attending a World Congress on Child Malnutrition in Haiti. The Globe and Mail newspaper, January 19, 2010 quoted her as saying...

Just like little birds, who care for their little ones, building nests high up in the trees or mountains, far away from the reach of predators, and closer to God, so too must we take care of our children ... promoting and respecting their rights and protecting them.

This study has been an exercise in personal endurance in order to show the ills of society that keep our children “on the ground” and “in the reach of predators”. One hopes this situation improves considerably as we seek to understand more fully the risks.

Marlene Dalley

Acknowledgements

The purpose of this study was to conduct a nation-wide research probe in order to provide a base of understanding regarding the trafficking of children in Canada. Specifically, this Report explores the linkages between trafficking, running away and other at risk groups and situations.

The National Missing Children Services and the project manager would like to extend sincere appreciation to the 175 police and service agency participants who gave of their valuable time for interviews.

Also, appreciation is extended to the following: the Canadian Police College library staff for their assistance locating required documents and references, and their valuable advice; the researchers, who interviewed participants and developed a comprehensive report, namely Annette Sikka, B.A., L.L.B., Barrister/Solicitor; Alessia Longo, M.A.; Joan Ross, Ph.D.; ADM & Associates Inc., Ottawa, Ontario; Investigative Solutions Network, Toronto, Ontario; research and editing consultant, Mayssam Zaaroura-Jackson, B.A., M. A.; and research assistant, Jennifer C. Elliott, B.A. To all the internal and external reviewer's, special appreciation is also extended.

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Executive Summary

In 2008, National Missing Children Services, RCMP, conducted an exploratory research study to determine if the domestic trafficking of Canadian children exists in Canada and if so, to identify the characteristics, trends, and challenges. This is the first Pan-Canadian study to examine child trafficking as it may be occurring within our provinces, cities and surrounding areas.

Similar to the *UN Convention on the Rights of the Child*, this study defines a child as anyone under 18 years of age. Since many persons do not perceive a teenager as a child, the term child/youth is used throughout the study. This study also examined whether there are linkages to child trafficking and runaway children, homelessness, drug addiction, the sex trade and other at-risk factors and situations.

Since information on the domestic trafficking of Canadian children is sparse, the study sought to explore characteristics and trends related to child trafficking. Further nationally focused studies are required to strengthen some findings and observations contained within the study.

The first part of this study is an analysis of primary and secondary literature as related directly and indirectly to the issue of human trafficking. A separate literature review on runaway children provides additional facts useful in the discussion on runaways.

The second part of this study provides an analysis of interviews conducted over a two-year period with law enforcement agencies and front-line service providers across Canada. In total, 175 interviews were conducted with police and service agencies in Vancouver, Prince George, Kamloops/Kelowna, Calgary, Edmonton, Prince Albert, Fort McMurray, Regina, Winnipeg, Greater Toronto Area (GTA), Ottawa, Montreal, Fredericton/ Marysville, Moncton, St. John, Halifax, Gander, and St. John's.

An analysis of the interviews and reports highlighted the following findings:

- Several groups of children were found to be at particular risk of sexual exploitation, increasing their vulnerability for sex trade involvement, and trafficking for sexual exploitation. They are as follows: runaway children; throwaway (unwanted) children; youth living independently when they reach 16 years of age; and children using Internet communications to solicit sex trade clients. It was observed that these groups of children lacked supervision, which placed them in situations of risk while underage and developmentally unprepared to deal with the dangers associated to the sex trade, like drug addiction and manipulation and control by others. In some cities and towns, black and aboriginal

children/youth, situated within some of these groups, were particularly vulnerable to sexual exploitation and possibly being trafficked.

- Some parents did not report their runaway child to authorities as missing for fear of losing their child welfare benefit, apprehension of and charges against their child by authorities, and possible exposure as abusers and exploiters, if investigated by authorities. However, by not reporting their missing child to authorities, the child/youth is without any police protection and may be vulnerable to exploitation and abuse.
- The reasons why children end up in sexually exploitative situations were varied. In some cases, children work in the sex trade to survive or to support an addiction. Other children became involved because a boyfriend, friend or family member encouraged them to do so, while in other cases force was used to compel their participation. In addition, some underage girls were groomed to enter into high-end sex trade when they reached 18 years of age, which is operated indoors, highly organized, expensive and exclusive.
- To fully understand sexual exploitation, the following categorizations of sex trade involvement were developed from the findings. They are as follows: survival and needs-driven; boyfriend-girlfriend relationship-driven (mutual or controlled dependency situations); high-end sex trade involvement, gang-driven; family member-controlled driven; and Internet-driven.
- The sexual exploitation of boys tended to be less visible. They operated independently in the sex trade, and were less often controlled by another person. However, there was sparse information on the sex trade or the trafficking of boys.
- Children/youth were recruited into the sex trade by the following individuals: friends, parents, siblings, pseudo boyfriends, older men preying on younger girls, gang leaders, girls working for gang leaders, and by girls working in the sex trade generally. Often, when a girl who was already involved in the sex trade recruited a new girl, she was rewarded by her controller.
- The recruitment of girls mostly, and boys, occurred in areas like shopping centres, bus and subway stations, child/youth centres, shelters, libraries, schools, and youth hang outs.
- Victims, who were inexperienced, separated from support structures, and generally lacked awareness, were found to be easy targets for recruiters.

- The activities used by recruiters to solicit or lure children/youth into the sex trade were as follows: They:
 - staged parties;
 - attended community events, where children/youth were in the majority;
 - arranged situations where children/youth were invited to join a gang;
 - arranged discreet meeting and gave promises, including a better way of life;
 - made regular visits to places where children/youth participate in age-related activities;
 - contacted and befriended children over the Internet;
 - arranged meetings with vulnerable girls, and pretended to be in love with them (love bombing), most often to intentionally develop a dependency relationship; and
 - created situations and targeted aboriginal children when they left their reserves to visit or enjoy the city life or to attend high school.

- Participants described some common luring and recruiting methods as follows. Girls mostly, but some boys, were lured away from home or care by persons they trusted with promises of a “better way of life.” In the beginning stages, they did not recognize the recruitment process. To elaborate further, a boyfriend (controller, recruiter) lures the victim away from her family and friends to another city, and at that time, the grooming or training and exploitation process begins. Many ways are used to ensure compliance. One way is described as follows. The controller stages a gang rape and photographs the act. The victim feels compelled to join the group so that the photos are not released to her family and friends, characteristically a blackmail situation.

- Drug use and addiction was common among children/youth involved in the sex trade. It can be a reason why children enter the sex trade and a mechanism used to cope with the situation. In extreme situations, pimps and gang leaders used drug debt bondage to control victims.

- Recruiters and controllers moved or transported children from place-to-place, city-to-city, province-to-province, and within cities, and in some situations from *crack* house to *crack* house (related to heavy drug usage).

- There was not enough research evidence to show that children moved (or were moved) to work in the sex trade in cities and towns hosting major events or to booming towns of migrant workers. However, more research is required to fully explore and learn more about this issue.

- Some characteristics describing these victimized children and preventing them from exiting their situation were as follows: self-destructive behaviours; controlled by others; drug addiction; acceptance as business commodities; drug bondage; and feeling entrapped. At the onset, many children/youth did not recognize that they were on the path toward sex trade involvement and vulnerable to trafficking. They became victims of persons who established a friendly or loving relationship with them; sometimes the situation escalated to a serious control situation. Control factors include the following: sexual assault (rape); isolation; burnings; and violence. Consequently, they felt they did not have any choice but to remain in the exploitative environment to which they were exposed.
- Children victimized through their involvement in the sex trade often lacked the knowledge of where to turn for help in many situations, including leaving the sex trade. Several support mechanisms, as identified, would help protect them from further harm and ensure their safety. These are as follows: strengthening the investigative coordination between child services and police; assigning a higher level of priority to the investigation of missing runaway and other marginalized children missing reports; and where necessary, developing additional and more stringent screening tools to identify more accurately children at risk of recruitment and possible trafficking when they leave home or care.

In essence, this study showed that some Canadian children, involved in the sex trade, were recruited, transported, and exploited - some more openly and extensively than others. In such instances, Canada's anti-trafficking laws would apply. To elaborate further, the Criminal Code of Canada, Section 279.01 states that:

(1) Every person who recruits, transports, transfers, receives, holds, conceals or harbours a person, or exercises control, direction or influence over the movements of a person, for the purpose of exploiting them or facilitating their exploitation is guilty of an indictable offence and liable (a.) to imprisonment for life if they kidnap, commit an aggravated assault or aggravated sexual assault against, or cause death to, the victim during the commission of the offence; or (b.) to imprisonment for a term of not more than fourteen years in any other case.

It is clear that some of these elements were present in many of the situations identified in this study, a study that explored and showed how to identify some of them. In essence, the findings showed the urgency and necessity to protect children's rights with national, regional and municipal plans, which will combat this *hidden crime* and *hidden abuse* of children.

Worthy of note, is that the involvement of children and youth in the sex trade increases their chances of harm, which may include, among others, physical

assault and psychological trauma. Consequently, in an attempt to cope, these vulnerable victims become involved in other crimes - some of which are serious offences. Therefore, it is critical that continued efforts are taken to prevent and protect children from such harm and further victimization.

The following matters, as identified by participants, require consideration, and where appropriate, action by law enforcement, policy makers, child/youth services, government and non-government services.

To name a few, these are as follows:

1. Review the effectiveness of existing law enforcement guidelines and practices, especially as they relate to runaway and marginalized children missing investigations and develop additional ones as required.
2. Develop and/or enhance law enforcement policy and response plans as related to the search for missing marginalized children.
3. Review and determine the effectiveness of the police screening tools currently used to prioritize a missing child report, especially runaway children, and their relationship to the start of an investigation.
4. Enhance law enforcement and service agency training specifically related to the missing children (runaways), and its relationship to child trafficking.
5. Cooperate and collaborate across agencies and seek effective ways to handle missing reports.
6. Develop measures to address parents and caregivers fears so they will report their child as missing to authorities and receive better protection.
7. Develop more effective incident and information gathering methods and make this information readily accessible to agencies that protect children from predators, especially recruiters.
8. Conduct additional educational awareness training and awareness sessions on sexual exploitation generally and as an element of trafficking that is applicable for children, parents, educators, service professionals and community officials.
9. Enhance police and community-based services, including collaborative approaches to the issue, so community programs and services can be tailored to fit based on need. See www.zebracentre.ca for an example of a collaborative approach.

10. Conduct additional child trafficking issue-related research so the sexual exploitation and therefore, trafficking is better understood. Several suggestions for further child-focused research study are as follows: the role of drug addiction and drug bondage, gang recruitment, child grooming for the sex trade, the recruitment risks to minors living in community sponsored shelters and designated hotels, the recruitment risks when attending festivals and events, and the recruitment risks while living on their own at age 16.

11. Review collaborative services and information sharing practices and approaches across Canada (childcare, social workers, law enforcement agencies, not-for-profit, to name a few) and develop a model approach which would enhance child protection services. See www.zebracentre.ca for an example of a collaborative approach.

General

1. Conduct a national survey, including all possible scenarios whereby a child may be missing, and determine the total number of missing runaway and street-involved children.

In conclusion, as reflected in the action statements identified throughout the study by the participants interviewed, and the literature findings, Canada must continue to address domestic child trafficking and therefore, eliminate the *hidden abuse* and *hidden crime* affecting its children. In so doing, it will better protect their rights under *The Convention on the Rights of the Child* (Articles 34-36), against all forms of neglect, cruelty and exploitation.

Background

In 1986, the Solicitor General of Canada conducted a national study on missing and exploited children. At that time, the Solicitor General tasked a team of researchers to determine the nature and scope of missing children in Canada. The research findings concluded that the majority of missing children were runaways.

To deal with the missing children situation, a Missing Children's Registry (MCR) service was officially opened in 1986 (today, National Missing Children Services). In 2006, the Child Exploitation Coordination Centre (NCECC) joined the service and currently both services compose the Canadian Police Centre for Missing and Exploited Children, Royal Canadian Mounted Police (RCMP).

From the beginning of the service, NMCS played an important role in the search, location and return of abducted children. From December 1988 to December 2009, 11,144 files were opened, 8,410 closed, and currently, there are 2,734 active missing children cases.

NMCS mandate includes providing investigative assistance services to Canadian and international police agencies, and conducting original research studies, such as this study. In 2009, NMCS assisted in the investigation of 85 Canadian cases, 306 United States cases, and 234 international cases (excluding the United States). The majority of the Canadian requests for assistance involve parental abductions, followed by a few stranger abductions and runaway cases. However, the national Canadian Police Information Centre system shows more children run away than are abducted.

In essence, since some authorities consider running away as a voluntary action and not against the law, protecting these children from harm is challenging. Research study findings show that some children are running away "from" a situation, not "to" - an understanding not embraced by some law enforcement and protection agencies, therefore placing children in harm's way. Some of the reasons children run away, among others, relate to abuse such as, physical, sexual and emotional or any combination of these factors, and unbearable personal situations - some considered to be contrary to the law. Additionally, this group and other groups of children are victims of sexual exploitation and possibly trafficked. Consequently, this research study intended to gather more information on the reasons and patterns as the issue pertains to Canadian children.

Introduction

Runaway Children: Understanding the Scope of the Problem

According to the tallies of the Canadian Police Information Centre's data collection system (CPIC), runaway reports compose over three-quarters of all missing children reports. More females than males run away and are subsequently reported missing. Additionally, over 80 per cent of these children have a history of repeat or chronic running episodes, which places them in a more dangerous position than a first time runaway. Even though many return home soon after they go missing, for the most part authorities have difficulty tracking where they were, what they were doing, with whom, or why they left home or care in the first place.

Although the majority of missing children and youth reports are runaway children (See Appendix C for Reporting Comparison), law enforcement requests for NMCS investigative assistance are considerably less than abduction requests. In other words, NMCS service is available but law enforcement and police agencies rarely use their assistance service to search for runaway children/youth. However, requesting assistance is a police choice and not mandatory. In addition to the high missing runaway numbers, there are also missing children/ youth reports classified by police agencies on the national CPIC system within the Unknown category of missing. Sampling research showed that half of these children exhibit runaway characteristics as well.

In summary, the majority of Canadian missing children police reports are runaway children - a trend that has been consistent from 1986 to 2010, as reported in the yearly Missing Children Reference Reports.

However, other government and non-government reports show different statistical counts from those presented in the Reference Reports. The differences occur mainly because NMCS statistical count is derived from police missing reports. Additionally, one child may runaway multiple times, each time creating a new runaway police report. Therefore, the number does not represent individual children running away but incidents of missing.

To show this variance in statistical count, the Public Health Agency of Canada estimated that every day in Toronto, Canada 150,000 children and youth are living on the street, age 14 to 25 years. Most are impoverished, homeless, and psychologically and emotionally vulnerable. The longer they are on the street the more apt they are to become involved in the sex trade and other criminal activities.¹

¹ Public Health Agency of Canada, *Street Youth in Canada: Findings from an Enhanced Surveillance of Canadian Street Youth, 1999-2003*. (March 2006), at 1.

Covenant House homeless shelter brochure stated that although the climate in the winter can be unbearable, there are, just in Toronto, Canada alone, up to 2,000 kids living on the street each night. These children leave home on average at 15 years of age.² These numbers relate to one Canadian urban center but illustrate inconsistencies.

In addition to runaway children, the tracking and counting of throwaway children is practically nonexistent. Throwaway children are unsupervised by adults, not wanted at home and connected to street families who do not know their whereabouts. These children are certainly at risk to sexual exploitation, recruitment and control. Most likely, police agencies will not receive a missing report when a child is a throwaway.

Additionally, some parents do not report their child/ youth as missing for fear of losing their child welfare and tax benefit, fearing repercussion from an investigation, and apprehension of their child or themselves. This practice too affects statistical counts and places children at considerable risk.

Children/youth, age 16 years and living independently, are similarly at risk. If they disappear for a short or an extended period, there may not be a missing child report filed with police.

The statistical total of missing boys has been historically lower than girls. Some research suggest that the parents concern for boys whereabouts and safety, is not as strongly rooted as it is for the female child, perhaps because they are viewed as mature and able to look after themselves. Thus, the available national statistics on boys missing may not be representative of the national situation.

The author, based upon several decades of experience of national missing children incident analysis, postulates that many children are not included in the national estimates of missing runaway children. Since there is no national statistical mechanism, which counts all categories and scenarios, it is possible that the available data does not accurately represent the total number of vulnerable children, especially street children.

Investigative assistance service available to abducted children/ youth

Since the Criminal Code of Canada is quite specific with regard to stranger and parental abduction, these missing cases are clearly enforceable. Procedures are in place to search and apprehend the offender who takes a child across provincial, national and international borders. However, a quick response is required and NMCS can assist by using its network of contacts including Interpol, to speed up the search.

² Covenant House, The Street Kids Christmas Gift book, 2009.

To elaborate further, NMCS police personnel are *on call* 24 hours a day, seven days a week. Since this service is linked to all Canadian and related police agencies through the Canadian Police Information Centre (CPIC), to all United States police agencies through the National Crime Information Centre (NCIC) and to most foreign police agencies through INTERPOL, investigative linkages are made quickly and expediently. Additionally, service linkages are made to the “our missing children” (OMC) program, and to recognized not-for-profit agencies who may be involved in and, enhancing the search.

The “our missing children” program partners are as follows: the Department of Foreign Affairs and International Trade, Department of Justice Canada, Canada Border Service Agency and the Royal Canadian Mounted Police. Seven not-for-profit search and crime prevention agencies work in cooperation and collaboration with NMCS in the search, recovery and reunification of a missing child. Working together the search and recovery is strengthened.

Investigative assistance service available for missing runaway children/youth

Although a few police agencies request NMCS assistance to investigate a missing runaway child incident, these cases are few in comparison to other requests for assistance. Those agencies who seek assistance for a runaway search usually have a complex investigation, involving cross border movement, danger factors associated with the situation, and a missing situation that has extended over a long period. Such a search requires interconnected networking and collaboration, readily available by contacting NMCS.

The runaway investigation also differs from abduction, mainly because running away is “not against the law” and perceived by some as a voluntary action. Police provide some protection but compromised children/youth want more protection and consequently they may join a gang to access it.

In summary, their numbers, and the protection of runaway children, reported and non reported to police agencies, varies.

Relationship to the Sex Trade

One of the main antecedent for children and youth to become involved in the sex trade, is their status as a runaway child.³

This group of children/youth is the most vulnerable because they live and work on the streets of our cities and towns. They are in survival mode most of the time, meaning they will subject themselves to any risk in exchange for money, a place to sleep, gifts and/or drugs. Sex for survival appears to be more of a factor for females than males, perhaps because females are more in demand and easier to

³ Sikka, *Sexual Exploitation and Runaway /Missing Children-Links to Trafficking in Persons, Research Report* , Unpublished, National Missing Children Services, RCMP: May 2008, 11.

solicit in exchange for food and shelter. Males on the other hand, even though they too are performing sexual favours, seem to bunk with friends and acquaintances⁴ or “sugar daddies.”

The John Howard Society of Alberta discussed the interrelation of running away and sexual exploitation in their study on prostitution in Edmonton and Calgary stating that: “Running away from home is considered the intervening variable that links sexual abuse with prostitution. Running away is often a survival or defence mechanism that follows sexual abuse, and sexual abuse is a factor commonly present among prostitutes.”⁵

Dr. Susan McIntyre, Canadian researcher, conducted a study of boys in the sex trade in Alberta entitled “Under the Radar” and identified the consequences of running away, and how the act of running away links with sexual exploitation for boys as follows:

Running away was common. Of great importance when asked about running away was a subsequent question that referred to the offer of food and or shelter while on the run. A total of 86 per cent were offered food and shelter while on the run. What becomes important about this finding is that two-thirds of those who were offered food and shelter had conditions attached by the giver. In most situations, these conditions were sexual in nature. Many of those interviewed described their first introduction to hustling/working in the sexual exploitation trade while they were on the run trying to survive.⁶

The former Prime Minister of Britain, Tony Blair shocked by the number of young people who ran away each year - 77,000, including 20,000 under 11 years of age - tasked the Social Inclusion Unit to learn more about runaway children and youth and to determine ways to prevent them from running. The report, published in 2002, stated the following:

Running away is an important signal that something is seriously wrong in the young person’s life. Children who run away or are forced out of their homes are often struggling with problems. The majority of runaways have experienced family conflict or family break-up, whilst some young people are running away because they are depressed, or because they are

⁴ Federal/Provincial/Territorial Working Group on *Prostitution, Report and Recommendations in respect of Legislation, Policy and Practices Concerning Prostitution-Related Activities* (Ottawa, ON: Queens Printer, 1998), at 13.

⁵ Annette, Sikka. *Sexual Exploitation and Runaway, Research Report I*, Unpublished, National Missing Children Services, RCMP, 12.

⁶ Susan McIntyre, *Under the Radar: The Sexual Exploitation of Young Men*, online: Government of Alberta: <<http://www.child.gov.ab.ca/whatwedo/pcese/pdf/undertheradar.pdf>> (27).

bullied at school. Children in care may run because they are unhappy in their placement, or because they want to return to their families.

One quarter of runaways will sleep in unsafe places, which puts them in a position of serious risk of harm. As many as 1 in 14 children and youth, who run away, about 5,000 a year, survive through stealing, begging, drug dealing and prostitution. Runaways with the most problems are likely to run to city centres and spend time on the streets, sleep outside, or stay in other unsafe places, such as with adults who exploit them.

The report also pointed out that repeat and chronic runners were the most likely group to use solvents in their life span than those who have never run away; nearly half of sentenced prisoners reported having run away as children; and homeless young people had a history of running away as children.⁷

The British Social Inclusion Unit report stated that 80 per cent of young people reported family problems as the primary reason for running away.⁸ Canadian children run away for similar reasons. Most children run away to escape an intolerable home situation, often characterized by alcohol and drug abuse, which is experienced at home or with friends. Research study findings also revealed that runaway youth have low self-esteem, feel neglected and unwanted, show signs of emotional and psychological problems, and have difficulty in school with achievement, relationships and interaction with teachers and peers. Running away from home or care is a cry for help. The cycle of running is also well known. Children run away from a problem. However, they soon find this way of life dangerous and difficult. Most first time runners will return home hoping that the situation that caused the problem in the first place has changed. However, for the most part, nothing has changed, so to cope, they run away again. The cycle continues and eventually these children and youth become entrenched in a street way of life - a life that often involves drug use, the sex trade, gang affiliations and street crime. In the past, video arcades would draw youth to one spot where they were vulnerable to victimization but today, children/youth are drawn toward harm in many ways, like internet luring, working at escort services, and exotic dance clubs. Often, they have false identification, marketed as adults, which makes them even more vulnerable in an adult-type setting.⁹

Since the majority of children who runaway are adolescents, it is important to look more closely at the stage between childhood and adulthood. It is a stage of rapid physical, intellectual and emotional change. Children/youth strive to be independent but they are still living at home or a foster home, and must follow the

⁷ Social Inclusion Unit, Office of the Deputy Prime Minister (England, UK: November 2002), 1 & 2.

⁸ Ibid, Social Inclusion Unit

⁹ Marlene Dalley, *National Missing Children Services, RCMP 2004 Reference Report*, <www.ourmissingchildren.gc.ca> (Ottawa, ON: 2004), 17.

rules set for them. Many youth find this transition period difficult and frustrating. Stressors such as parental expectations of success, school relationships and academic pressures, family conflict, parents' separation and divorce challenges, the use and abuse of alcohol and drugs by the youth and/or parent(s), as well as abuse at home and on the street are overwhelming. In an effort to cope, they run away again. The cycle of running seems to continue in this fashion until the reasons for running are addressed or eliminated.¹⁰

Convincingly, researcher Dorais states, it is at this point in their development, that they are the most vulnerable. While looking for shelter, food, clothes and drugs (if they are users or addicted), they encounter controllers, like pimps, recruiters, exploiters, organized crime groups and gangs. These controllers lure them away from safe to unsafe environments. In these situations, most often their freedom is taken away. Then, they gravitate toward, or are forced into situations of dependency, including exploitation. Since these children for the most part have low self-esteem and seek to be loved and cared for, they are easy prey for controllers/predators.¹¹

Children and youth who are without parental or caregiver guidance and who seek love, attention and belonging are the children most likely to be exploited and possibly trafficked - the focus of this report.

Purpose of Research

To determine if there is domestic trafficking of Canadian children and if so, describe the situation, its characteristics, trends and challenges, and suggest ways to improve the situation.

Goals of Research

- to identify the groups of children who are vulnerable to trafficking.
- to determine if exploitation exists, and if so, how, why, and by whom.
- to identify linkages between child sexual exploitation and trafficking.
- to identify, if any, the elements of trafficking and their characteristics.
- to highlight to law enforcement, police and service agencies how these children are at risk and suggest ways to change the situation.

¹⁰ Marlene Dalley, *National Missing Children Services, RCMP 2001 Annual Report on Canada's Missing Children*, <www.ourmissingchildren.gc.ca> (Ottawa, ON: 2001), 17.

¹¹ Michael Dorais. *Jeunes filles sous influence: Prostitution juvénile et gangs de rue*. (Montréal, QC: VLB Editeur, 2006).

Objectives

Primary Objectives

- to understand the nature and scope of child/youth trafficking in Canada.
- to determine if a relationship exists to missing runaway children and other marginalized groups.
- to identify and learn more about trafficking and related issues. and
- to identify gaps in services, if any exist.

Secondary Objectives

- to determine the nature and scope of data collection on child trafficking.
- to develop areas where further research is required.

Methodology

This research is the first Pan-Canadian study to examine child trafficking as it may be occurring within our provinces, cities and surrounding areas. In 2008, background information on this research topic was sparse.

However, the contents of issue-related reports and documents, gathered by researchers at National Missing Children Services, RCMP over a five-year span prior to the beginning of the research, composed the Review of the Literature. In the development of site reports, additional research studies were used, and cited in the references.

Fifteen open-ended questions were initially prepared for the interviews.¹² The researchers were encouraged to collect the information reflected in the context of those themes. From time to time, some questions changed in order to gather as much information as possible from the interviewees or to meet the requirement of compressed time limits.

These question themes were as follows:

- Service overview and how used by children/youth
- Data collection techniques related to trafficking of children
- Sexual exploitation and trafficking characteristics
- Marginalized children: characteristics, and vulnerabilities
- Child Welfare involvement and related characteristics
- Sexual exploiters characteristics

¹² Sikka, *Sexual Exploitation and Runaway, Research Report I*, Unpublished, National Missing Children Services, RCMP, 2008, 52.

- Gang and organized crime involvement in exploitation and trafficking
- Recruitment and transportation techniques
- Gender differences in activity, exploitation and risks
- Third party involvement, and benefits
- Understanding of trafficking situations, laws and characteristics
- Prostitution perceptions
- Missing children reporting
- Police, child and youth service, and not-for-profit agency interventions and actions

The researchers conducted face-to-face interviews, and due to extenuating interviewing circumstances, on a few occasions conducted a telephone interview. As the study progressed, the project manager encouraged a more in depth theme related type of questioning, but the original themes remained consistent.

The project manager or researcher made appointments with the agencies in the towns and cities identified as research sites. Occasionally, one agency referred the interviewer to another agency, enabling the researcher to interview well-informed persons, consequently adding reliability and validity to the results. Several researchers conducted an Internet search to locate agencies and review their mandate before contacting them for an interview. In several provinces, researchers interviewed Criminal Intelligence Services Canada analysts.

The law enforcement persons interviewed dealt specifically with children and youth, including organized crime, sexual exploitation, missing persons, trafficking in human beings and other issues involving children at risk. Front-line service agencies personnel provided information on street-based and other kinds of child sexual exploitation as well as services to marginalized children. These included prostitution, exotic dancing, and drug use and/or drug addiction, whether on the street, at home or using the Internet. Also interviewed were a few government agencies that played a role in anti-trafficking initiatives.

The project manager prepared a National Missing Children Services (NMCS), RCMP official letter for each interviewer explaining the purpose and objective of the project and introducing the interviewer. She also addressed any additional inquiries. At the conclusion of a site or group of sites visit, the project manager received a full report, including confidential summaries, of the site interviews. A review and analysis of the reports were completed, and if there were any questions arising from the report, the project manager met with the researcher to clarify points or collect further information.

The project manager, based upon colleague and researchers feedback, and professionally accredited twenty years of experience, chose 20 Canadian sites to conduct interviews with law enforcement and service agencies. The final report reflected the information gathered in 175 interviews and a subsequent analysis of

12 separate reports. For definitions and research limitations see Appendix D and E.

The progression of the study was as follows:

Phase 1 April - May 2008

- Winnipeg, Manitoba
- Prince Albert, Saskatchewan
- Edmonton, Alberta

Phase 2 June - July 2008

- Fredericton, New Brunswick
- Marysville, New Brunswick
- Gander, Newfoundland
- St. John's Newfoundland

Phase 3 August - October 2008

- Regina, Saskatchewan
- Calgary, Alberta
- Prince George, British Columbia
- Kamloops/Kelowna, British Columbia
- Lower Mainland (Vancouver), British Columbia
- Edmonton, Alberta
- Fort McMurray, Alberta

Phase 4 September - October 2008

- Moncton, New Brunswick
- St. John, New Brunswick

Phase 5 October - December 2008

- Montreal, Quebec
- Toronto, Ontario
- Ottawa, Ontario
- Halifax, Nova Scotia

Phase 6 April 2009

- Edmonton, Alberta : Zebra Child Protection Centre
- Calgary, Alberta

Legal Framework

There exists a broad international framework to address trafficking in persons. The United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (Trafficking Protocol) articulates the most widely accepted international framework for addressing TIP and calls upon States Parties to take steps to prevent trafficking, protect its victims and prosecute the offenders. The Trafficking Protocol is the only globally binding international instrument which contains an agreed upon definition of trafficking in persons. Canada ratified the Trafficking Protocol (and its parent convention, the United Nations Convention against Transnational Organized Crime) on May 13, 2002.

Article 3 of the Trafficking Protocol reads:

- (a) "Trafficking in persons" shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs;
- (b) The consent of a victim of trafficking in persons to the intended exploitation set forth in subparagraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used;
- (c) The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered "trafficking in persons" even if this does not involve any of the means set forth in subparagraph (a) of this article;
- (d) "Child" shall mean any person under eighteen years of age.

This clarifies that trafficking in persons has three constituent elements: (1) an act; (2) the means; and, (3) the exploitative purpose.

Article 5 the Trafficking Protocol obligates States Parties to criminalize trafficking in persons in accordance with the definition contained in article 3. In doing so, it is important to remember that a country's criminal laws must address the conduct articulated in article 3 and simple incorporation of the definition is not likely to be

sufficient.¹³ A state's criminal laws must address trafficking in persons as a combination of the constituent elements of the definition; that is, the act, the means and the purpose.

In addition, the Trafficking Protocol articulates a number of other obligations in the areas of prevention and victim protection including, for example, article 9 which requires States Parties to establish comprehensive policies, programs and other measures to prevent and combat trafficking in persons and article 6 which requires States Parties to consider implementing a range of measures to provide for the physical, psychological and social recovery of victims of trafficking in persons.

In addition to the Trafficking Protocol, there are numerous other relevant international treaties which inform responses to trafficking in persons and the protection of children including:

- Convention on the Rights of the Child;
- Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography;
- Convention on the Elimination of All Forms of Discrimination against Women;
- ILO Convention (No. 105) Concerning the Abolition of Forced Labour; and,
- ILO Convention on the Worst Forms of Child Labour

Canada's international obligations inform the development of domestic laws, programs and policies in this area. With respect to Canada's obligation to make trafficking in persons a criminal offence, there are two relevant federal statutes, the Immigration and Refugee Protection Act and the Criminal Code.

Immigration and Refugee Protection Act

In 2002, pertinent provisions of the Immigration and Refugee Protection Act¹⁴ (IRPA) came into force including the first specific criminal offence in Canada to target trafficking in persons. Section 118 of the IRPA states:

(1) No person shall knowingly organize the coming into Canada of one or more persons by means of abduction, fraud, deception or use or threat of force or coercion.

(2) For the purpose of subsection (1), "organize", with respect to persons, includes their recruitment or transportation and, after their entry into Canada, the receipt or harbouring of those persons.

¹³ *Legislative Guides for the Implementation of the United Nations Convention against Transnational Organized Crime and the Protocols Thereto* (United Nations: New York, 2004) at 270.

¹⁴ S.C. 2001, c.27.

This offence focuses on the method by which a person is brought into Canada. Exploitative conduct associated with the commission of this offence is captured in 121 of the IRPA which lists a variety of aggravating factors that must be taken into account when sentencing in a *trafficking in person* case. This offence carries a maximum penalty of life imprisonment and a fine of up to \$1M.

Criminal Code

The Criminal Code contains three specific indictable offences to address trafficking in persons. These offences came into force in 2005 with the enactment of Bill C-49, an act to amend the Criminal Code (trafficking in persons) S.C. 2005, c.43.

Section 279.01 states:

(1) Every person who recruits, transports, transfers, receives, holds, conceals or harbours a person, or exercises control, direction or influence over the movements of a person, for the purpose of exploiting them or facilitating their exploitation is guilty of an indictable offence and liable

(a) to imprisonment for life if they kidnap, commit an aggravated assault or aggravated sexual assault against, or cause death to, the victim during the commission of the offence; or

(b) to imprisonment for a term of not more than fourteen years in any other case.

(2) No consent to the activity that forms the subject-matter of a charge under subsection (1) is valid.

For the purposes of the trafficking in persons offences, exploitation is defined in section 279.04 as:

279.04 For the purposes of sections 279.01 to 279.03, a person exploits another person if they

(a) cause them to provide, or offer to provide, labour or a service by engaging in conduct that, in all the circumstances, could reasonably be expected to cause the other person to believe that their safety or the safety of a person known to them would be threatened if they failed to provide, or offer to provide, the labour or service; or

(b) cause them, by means of deception or the use or threat of force or of any other form of coercion, to have an organ or tissue removed.

279.02 Every person who receives a financial or other material benefit, knowing that it results from the commission of an offence under subsection 279.01(1), is

guilty of an indictable offence and liable to imprisonment for a term of not more than ten years.

279.03 Every person who, for the purpose of committing or facilitating an offence under subsection 279.01(1), conceals, removes, withholds or destroys any travel document that belongs to another person or any document that establishes or purports to establish another person's identity or immigration status is guilty of an indictable offence and liable to imprisonment for a term of not more than five years, whether or not the document is of Canadian origin or is authentic.

The laws, protocols, acts and treaties that protect children who are trafficked are the Criminal Code of Canada, The Palermo Protocol, The Immigration and Refugee Protection Act (IRPA), and Convention on the Rights of the Child. Each is unique in their purpose and application.

Review of the Literature and Legal Framework Observations

In 2008, ADM and Associates researchers reported on their findings after reviewing relative reports and documents gathered by NMCS and published prior to the commencement of the study. Their observations are as follows.¹⁵ (See also the Executive Summary at Appendix A).

Sara was born in Canada to an upper middle class, Caucasian, family. The details of her history of sexual assault are unknown. At age 13, she became pregnant and had a baby that, subsequently, was raised by her parents. At age 14, she ran away and got hooked up with a pimp in Vancouver. Her pimp sent her all over to work including Seattle, Salt Lake, Las Vegas, Houston, Pasadena, San Francisco, and eventually Honolulu. While in Honolulu, Sara was sent to Japan two times to work. The first time was for three months and the second time for about two months. While there she was "given" to someone else and worked in a hostess bar type setting. Between trips to Japan Sara worked in Honolulu, Las Vegas and Canada. At age 23 Sara left her pimp and returned to Canada. She got pregnant again and had her second child. Today Sara is living with her family, working as a secretary and bartender and raising both her kids.¹⁶

¹⁵ Angus F. Dalley, Principle, *Review of the Literature: Determining the Nature and Scope of Domestic Trafficking of Children*, Unpublished, National Missing Children Services RCMP, Ottawa, Ontario: ADM & Associates, 2008.

¹⁶ Richard J. Ester, and Neil Alan Weiner, *The Commercial Exploitation of Children in the United States, Canada and Mexico*, University of Pennsylvania, Philadelphia, September 10, 2001 , 53.

Definitions of the Trafficking of Persons

A definition of Trafficking In Persons (TIP) was formulated from the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (hereinafter the Protocol), which supplements the United Nations Convention Against Transnational Organized Crime. Article 3 of the Protocol Defines trafficking in persons as:

“3(A) [t]he recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments of benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or the removal of organs.

3(B) [t]he consent of a victim of trafficking in persons to the intended exploitation set forth in subparagraph 3A of this article shall be irrelevant where any of the means set forth in subparagraph 3A have been used.

3(C) [t]he recruitment, transportation, transfer, harbouring or receipt of a child for the purposes of exploitation shall be considered ‘trafficking in persons’ even if this does not involve any of the means set forth in subparagraph (A) of this article.

3(D) ‘child shall mean any person under the age of eighteen years.’¹⁷

The Convention on the Rights of the Child, 1989¹⁸ defines a ‘child’ as any person below the age of 18. The term has also been adapted to defined ‘youth’, ‘adolescent’, and ‘minor’.¹⁹ Article 34 and 35 requires that State Parties protect children from all forms of sexual exploitation and prevent the abduction, sale and

¹⁷ Protocol to Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention Against Transnational Organized Crime, presented in Palermo, Italy and adopted at the United Nations General Assembly under Resolution 55/25, entered in to force on September 9, 2003, as Article 3 (commonly known as the “Palermo Protocol”).

¹⁸ *The Convention on the Rights of the Child*, adopted under resolution 44/25 at the General Assembly on November 20, 1989 and came into force on September 2, 1990. The Government of Canada ratified this Convention on December 12, 1991.

¹⁹ Melanie M. Gagnon, Catherine Gauvreau and Jean-Francois Noel, *Strategic Action Plan for the Protection of Child Trafficking in Quebec*, A paper prepared for the International Bureau for Children’s Rights, February, 2007.

traffic of children. The Convention further proposed for States to criminalize the sale of children for purposes of sexual exploitation... child prostitution and child pornography.²⁰

The Canadian Council for Refugees stated early in their review of the Protocol that “the Palermo Protocol does not contain strong language promoting protection and it raised issues of ‘great concern’ at their hearings”.²¹

Though the United Nations Protocol has its merits (Stewart, et al, November 2007), it is inadequate in its failure to account for all cases or instances of trafficking²² {in Canada}. In this paper, it was proposed that prostitution and pornography also be considered forms of sexual exploitation, in whatever context they might occur, including massage parlours, modeling agencies, exotic dancing clubs, and escort agencies.

The Standing Committee on the Status of Women, 2006, also found that the Protocol definition to be weakened by its lack of clarity with respect to what constitutes sexual exploitation. Within the confines of this concern the Committee set to “clarify that prostitution and pornography are forms of sexual exploitation wherever they occur - on the street, in massage parlours, modeling agencies, etc., or through escort agencies”.²³

Even with these improvements, however, the proposed definition of trafficking in persons remains inadequate. According to Wijers and Lap-Chew (1997):²⁴

The traditional definitions of trafficking focus only on prostitution and procurement and only involve the transportation of people across national borders, overlooking the transportation of people within borders. The legislation ignores the abuses and slavery-like conditions in brothels, paints women as “innocents” and totally overlooks contemporary forms of trafficking such as the trafficking of domestic workers or mail-order brides... Coercion is the discriminating element which turns recruitment of

²⁰ Carole E. Morency, *Child Trafficking in Canada*, A Paper presented to the International Bureau for Children’s Rights Conference, Montreal, November, 2004.

²¹ Canadian Council for Refugees Report, *Trafficking in Women and Girls*, Report of Meetings, Fall, 2003, 1 & 3.

²² Shona Stewart, et al, A Discussion Paper: *Domestic Trafficking of Women in Canada*, prepared for the Canadian National Coalition of Experiential Women, November, 2007.

²³ The Government of Canada, The Standing Committee on the Status of Women, Twelfth Report on the Study of Human Trafficking, September 2006, 3.

²⁴ Marjan Wijers and Lin Lap-Chew, *Trafficking in Women, Forced Labour, and Slavery-Like Practices in Marriage, Domestic Labour, and Prostitution*, A Foundation Against Trafficking in Women Publication, The Netherlands, 1997, 65.

women and the situations they end up in into 'trafficking' in women, and slavery-like practices. Therefore, coercion has to be the core elements of any definition.

Wijers and Lap-Chew (1997) further proposed that any definition attempting to define trafficking in persons should include an essential component to deal with forced labour, and a consideration for persons detained and forced to participate in slavery-like practices. Essential, as well, is an inclusion for the trafficking of persons within borders.²⁵

When assessing the Canadian Trafficking in Persons situation, it is informative to reflect upon the age of consent for sexual activity in Canada. Under the criminal code, RSC 1985 s.153.1, youths 14 years of age can consent to any type of legal sexual activities with a much older partner.²⁶ (Bill C-2 received Royal Assent February 28, 2008 amending the Criminal Code and consequential Acts changing the age of consent to 16 years.)

Expanding the Definitions

While international definitions continue to place parameters on the definition of Trafficking in Persons, there is a continued domestic component to the issue. The international flavor for the TIP issue is promoted by antidotal, advocate estimates and "best guesses" of the numbers of persons being exploited in these situations. At best, these figures are inflated with promises for those affected but they do not provide any viable solution to the victim's situation.

As there is no sound base to quantify any of the previous assertions, it is important to examine why the trafficking in persons has become such an important international problem. One explanation may be as follows. From the international perspective, Canada has been identified as a transit and destination country for human trafficking.²⁷ Some researchers report that Canada is primarily a country of destination and transit point for sex trafficking of women from China, Thailand, Cambodia, the Philippines, Latin America and Eastern Europe.²⁸ This 2004 US State Department government report further relates that ...some Canadian citizens are victims of sex trafficking within the country [Canada]. The findings surmise that victims are transported through Canada to destinations in the United States. While this transportation may exist, there is

²⁵ Ibid, cited above at 29, page 36.

²⁶ Canadian Criminal Code, R.S.C. 1985, c. C-46 s. 150.1

²⁷ A Canadian Perspective as outlined in an unofficial *Frequently Asked Questions on Human Trafficking* prepared by the Department of Justice, October, 2006.

²⁸ United States State Department - Office to Monitor and Combat Trafficking in Persons, Country Narratives: *Western Hemisphere, Trafficking in Persons Report*, June 14, 2004.

insufficient available evidence and data to make this assertion and unquestionably there are sparse legal prosecutions to substantiate that Canada is a destination country.

It seems then, that Canada has an opportunity to assist in the definitions as proposed in the Palermo Protocol by crafting its own definition of Trafficking in Persons. By such an approach, it is possible to assist with identifying the extent and the scope of the problem as it exists in Canada. This can be achieved in two ways. First, alert the official cadre of officials responsible for the safe movement of aliens and Canadians alike in Canada to the possibility that persons from other countries may be forcibly transported to Canada for whatever reason. The definition would then be enhanced by the International definition and follow the proposed responses as outlined in the Protocol.²⁹

The second concerning issue deals with the forcible retention and transportation of persons within Canada. These parameters would include trafficking intra- and inter- provincially. This point of view has been briefly covered by Gagnon, et al, 2007.³⁰ With regard to the National Missing Children Services (NMCS), RCMP operational requirements, this is the only category to youths, which would fall within their primary domestic mandate. In reality, however, NMCS does receive BOLO's³¹ and "request to locate" of persons from foreign States.

The Canadian National Coalition of Experiential Women begins its discussion paper by accepting the various definitions of trafficking, {and} affirming the understanding that trafficking often involves sexual exploitation, and declaring that the basis of all definitions must be the coercion of an individual to relocate or participate in some form of undesirable practice for the purpose of exploitation.³²

Quantifying the Problem

In 2002, a Quebec-based police force was involved with the investigation of organized crime activities in the recruitment, movement, control, and exploitation of women and under-age girls within Canada. The average age of children involved in this activity ranged between 14 to 17 years.³³ In December 2006 charges were laid in Quebec for the domestic trafficking of a Canadian female in

²⁹ Ibid, cited above at 22.

³⁰ Ibid , cited above at 24, at page vi and other places.

³¹ In police vernacular BOLO is an acronym for "Be on the Lookout for".

³² Shona Stewart, et al, 2007 cited above at 27, p.4.

³³ Canada, Criminal Intelligence Services Canada (CISC), *National Monitoring Issues; Sexual Exploitation of Children, Annual Report, 2003*. (<www.cisc.gc.ca/annual_reports/annual_report_2003/exploit_2003_e.html>).

the sex trade. “With heightened law enforcement understanding of the trafficking in persons (TIP), prostitution-related charges that meet TIP criteria within the domestic prostitution criminal market will likely continue to emerge”.³⁴

Presumably the reporting of this specific Quebec case would signify among the first attempt by any Canadian police force to proceed with charged against organized crime for the trafficking in persons. The report discussed the movement of persons involved in prostitution intra- and inter- provincially facilitating the creation and adherence to new loyalties and enabling pimps to meet the demand for new faces in the sex trade business. The report contends that “middle-class females between the ages of 12 and 25 years (including some cases of females as young as eleven) are typically recruited by male peers with ties to organized crime. The frequent movement of prostitutes isolates females and allows organized crime networks to circulate females throughout several cities. False documents are provided which makes it increasingly difficult to locate juvenile missing persons and runaways”.³⁵

Although Criminal Intelligence Service Canada (CISC), a police organization, which gathers intelligence/information, stated these facts, a lengthy and compelling list of publications citing abuses against children and the trafficking in persons, was compiled in the document, *The Global March Against Child Labor*, National Statistics.

An abbreviated list of these are as follows:³⁶

- It is thought that Chinese girls are trafficked into Western Canada to work in the sex trade (ECPAT, CSEC Database), http://ecpat.net/3eng/ecpat_inter/projects/monitoring/online_database/index.asp).
- Recruitment of exotic dancers into Canada is legal, and may be linked to the issues of trafficking and sexual exploitation. Women enter Canada to work as exotic dancers are vulnerable to sexual and economic exploitation, deprivation of freedom and can be coerced into criminal activities, whether they have entered legally or illegally. (CATW Fact Book, citing Canada’s Paper for EU Conference on Trafficking in Women for Sexual Exploitation, 10 & 11 June 1996).

³⁴ Canada, Criminal Intelligence Service Canada (CISC), Strategic Intelligence Brief; *Organized Crime & Prostitution in Canada: Analysis of Domestic Human Trafficking*, May, 2007. (<www.cisc.gc.ca/products_services/domestic_trafficking_persons/persons_e.html>, dated 9/3/2008).

³⁵ Ibid, cited above at 245.

³⁶ As is reported in *Global March for Child Labour, Canada: National Statistics; Worst Forms of Child Labour Data*, 2000, 2002 & 2005 (<www.globalmarch.org/worstformsreport/world/canada-2002.html>).

- 200 to 300 juveniles in Vancouver are routinely arrested on prostitution-related charges. (CATW Fact Book. Citing Kimberly Daum, "Sexually Exploited Children in Canada". 17 October 1996).
- About 12, 16-30 year old Asian girls and women are trafficked into Canada each week on visitor's permits and sold into prostitution. The women are sold to brothel owners in Markham, Scarborough, Toronto and Los Angeles, and forced into \$40,000 debt bondage. (CATW Fact Book, citing "Police Bust Sex-slave Ring" UPI, 11 September 1997, citing police officials).
- Many of the young girls who are trafficked and forced into prostitution in Canada are ferried from city to city, from Seattle to San Francisco to Oakland to Phoenix to... The pimps move them every 3 to 4 weeks. (CATW Fact Book, citing the Province, 19 December 1997, citing Portland police officer, Doug Kosloske).
- 10 per cent of the 100 to 200 women in street prostitution in Calgary, Canada are under 18 years of age. (CATW Fact Book, citing Helen Dolik, "Help Group for Families is Launched", Calgary Herald, 11 August 1997).
- Vietnamese and Chinese mafia are expanding operations in brothels in Toronto, Canada. They traffic women from Southeast Asia. (CATW Fact Book, citing Rob Lamberti, "Sex Slaves: Fodder for Flesh Factories", 10 May 1998).
- Of 1500 people in the sex industry in Montreal, one third is women and children involved in street prostitution. (CATW Fact Book, citing "Prostitutes Protest Police Sweep". Montreal Gazette, 23 June 1998).
- There are between 600 and 3000 minors involved in the sex trade in Montreal. (June Kane, Sold for Sex, Aren Ashgate Publishing Limited, Gower House, 1998).
- More than 400 children, some as young as 11 years, are reported as working for pimps in Calgary.
- According to various reports some 3500 Bulgarian women are trafficked to Poland, thousands to the Netherlands and the Czech Republic, while others are trafficked to Germany, Belgium, Canada ... (US Department of State, "Country Reports on Human Rights Practices" 1999 and released 25 February 2000).

- Canada is primarily a transit and destination country for trafficking in persons, primarily from East Asia (especially China and Korea) ... (US Department of State, "Trafficking in Persons Report", 12 July 2001).
- There are also isolated cases of Canadian minors trafficked by pimps to the United States for the purpose of sexual exploitation. (US Department of State, "Trafficking in Persons Report", 12 July 2001, also in 2005).
- In February 2004, the Royal Canadian Mounted Police (RCMP) estimated that 800 persons are trafficked into Canada annually. An additional 1500 to 2200 persons, it is further estimated, are trafficked through Canada into the United States, suggesting that Canada is a source, transit and destination country.³⁷

Canadian officials, while tending to report the international number and quote the graphic situations, seem to be guarded or maybe more cautious in their reporting on the trafficking in persons situations as it exists in Canada. The following is a reflection of those views.

- According to a 2004 Quebec study, the commercial sexual exploitation of children is a hidden phenomenon that takes place in hotel rooms or apartments. Most victims, they contend, are under 14 years of age and used in the child pornography industry.³⁸
- A government-funded Save the Children Canada report released in 2000 claimed that 90 per cent of youth involved in the sex trade in some communities are aboriginal.³⁹
- At this moment, there is very little information on child trafficking originating in Canadian aboriginal communities. The youth in these communities represents approximately 8 percent of all Canadian children.⁴⁰ There is little data on the involvement of organized

³⁷ Canada, Royal Canadian Mounted Police (RCMP), *Trafficking in Persons Report*, unpublished, 2005.

³⁸ Michelle Cote, *Portrait de l'exploitation sexuelle des enfants a des commerciales*, L'initiative du Service de Police de la Ville de Montreal, corporate report, March, 2004.

³⁹ Cherry Kinsley, and Melanie Mark, *Sacred Lives: Canadian aboriginal children & youth speak out about sexual exploitation*, Save the Children Canada, Vancouver, 2000, at 41.

⁴⁰ Cindy Blackstone, *First Nations Child and Family Services: Restoring Peace and Harmony in First Nations Communities*, "Child Welfare Connecting Research, Policy and Practice", Kathleen Kufeldt and Brad McKenzie (Eds), Wilfred Laurier University Press, Waterloo, 2003.

crime in the trafficking of human beings in Canada.⁴¹ The report continues by outlining anecdotal information gleaned from newspapers and news magazines.

- Across the country {Canada}, organized crime networks are actively trafficking Canadian-born women and under-age girls inter- and intra- provincially destined for the sex trade. Traditionally regarded as prostitution, cases of domestic TIP for sexual exploitation are emerging in Canada...⁴²
- The clandestine nature of trafficking in persons makes it difficult to ascertain its true magnitude. The range in the estimated number of trafficked victims demonstrates the difficulty in obtaining accurate figures on this underground, illicit activity.⁴³

In view of the great range that exist in the many attempts to quantify the number of trafficking in persons cases in Canada it may be worthwhile to reflect upon the views expressed by Sikka in a preliminary National Missing Children Services in house report describing the results of a study conducted in Western Canada.⁴⁴

The homogenization of experiences of sexually exploited youth has led to a “one-size fits all” approach by federal and provincial authorities that tend to focus on only one type of sexual exploitation, thus excluding many children from view. Consequently, the ways in which trafficking in persons occurs in this region are quite different and each instance requires individual analysis. It is important to note that the term “trafficking” is frequently used by organizations and individuals to draw attention to the plight of sexually exploited youth, and has not been adequately clarified in current Canadian research. It is imperative that all authorities come to some understanding about the legal meaning and appropriate usage of the term before attempting to quantify or to program.

⁴¹ Christine Bruckert, and Colette Parent, *Trafficking in Human Beings and Organized Crime: A Literature Review*, An unpublished research report prepared for the Community, Contract and Aboriginal Policing Services Directorate of the Royal Canadian Mounted Police, Unpublished, June 2002 and available online at www.rcmp.gc.ca

⁴² CISC, 2008, *ibid*, cited above at 38.

⁴³ Canada and the United States, *Bio-National Assessment of Trafficking in Persons*, Undated. <www.publicsafety.gc.ca/prg/le/_fl/1666i-en.pdf>.

⁴⁴ Annette Sikka, *Sexual Exploitation, Trafficking in Youths, and Runaway and Missing Children*, A Preliminary National Missing Children Services, RCMP report, Unpublished, and in personal communications with the author. August, 2008.

As relates to data, there is one item which all authorities agree upon, and that is, there is no data available to clearly, knowledgeably, and authoritatively understand the nature and extent of trafficking in persons in Canada.

Overall, it is clear that very little research and systematic data collection have been undertaken in Canada.⁴⁵ This would include trafficking for the purpose of sexual exploitation, as there are substantial gaps in researching and assessing the characteristics of trafficking in persons in Canada.

The conclusions stemming from the report are as follows.

The research conducted in Canada, and abroad, is mostly anecdotal and not empirically based. In regard to the development of any federal data collection strategy ... it is critical to identify or rely on both direct and indirect measures of trafficking.⁴⁶

In relation to aboriginal girls in Canada, in 2007, researcher Sethi revealed the difficulties experienced obtaining proper statistics with regards to the sexual exploitation of aboriginal girls.

There is no national level data that tracks the transient aboriginal population and their trafficking in {the} sex trade. Lack of focus and/or clear understanding of domestic trafficking (since sexual exploitation is often conflated with sex work), underground nature of the crime, and mobility of trafficked persons across various cities often make it difficult to assess the actual numbers. Moreover {the} majority of the cases of trafficking go unreported as girls are scared to take action against their traffickers resulting in the data on the trafficked persons being partial, varied and debatable. In the absence of actual figures on domestic sex trafficking in Canada, ...⁴⁷

The International Bureau for Children's Rights proposed the following with relation to the collection of data in child trafficking cases.

Given the need to better document the phenomenon of child trafficking, the collection of data should be encouraged.⁴⁸

⁴⁵ Canada, *Report to the Interdepartmental Work Group on Trafficking in Persons*, Prepared by the Research and Data Collection Sub-Group, October, 2004.

⁴⁶ Ibid, cited previous at 49.

⁴⁷ Anita Sethi, A. *Domestic Trafficking of Aboriginal Girls in Canada: Issues and Implications*, First Peoples Child and Family Review, V. 3, No. 3, 2007, 59.

⁴⁸ International Bureau for Children's Rights. 2006. *Strategic Action Plan for the Protection of Victims of Child Trafficking in Quebec: Recommendation 1; Prevention, Data Collection*. November, 2.

In addition to outlining what is considered to be key data elements it is also recommended:

To encourage the exchange of information between organizations which intervene on behalf of child victims, common criteria should be used in the collection of data, {And} given that traffickers displace child victims which makes it difficult to locate them, a central agency should be designated to receive and analyze the data that is collected."⁴⁹

The Twelfth Report of the Standing Committee on Status of Women also recognized that the Canadian effort to counter trafficking in persons indicated significant gaps {in the data collection process}.⁵⁰

The Executive Summary describing the proceedings of a conference in Europe on the Trafficking in persons acknowledges data needs.

It was acknowledged that accurate and comprehensive information about the nature and scope of TIP is lacking, and the member States cannot develop effective policies, allocate resources effectively, or evaluate programs without first obtaining better empirical evidence.⁵¹

The Canadian National Coalition of Experiential Women proposed an all encompassing data base to share information on trafficking in persons.

{The} creation of a network to share pertinent data: nationally, coordinating government, law enforcement, and NGO's efforts to eradicate trafficking.⁵²

In a 2005 government report Oxman-Martinez and research colleagues relate the difficulty in collecting informative data and provide one supporting reason to avoid the collection.

Organizations clearly recognize the necessity of statistical evidence to influence police; however, they are reluctant to gather systematic information on trafficking victims. Among the reasons evoked to avoid

⁴⁹ Ibid, above, at p. 2.

⁵⁰ Ibid, cited above, at 28, p.8.

⁵¹ Organization for Security and Co-operation in Europe, Notes on Proceeding from the Organization for Security and Co-operation in Europe Alliance against Trafficking in Persons Conference *National Monitoring and Reporting Mechanisms to Address Trafficking in Human Beings: The Role of National Rapporteurs*, Vienna, 21 March 2007 <www.osce.org/documents/html/pdftohtml/29902_en.pdf.html>.

⁵² Shona Stewart, et al, ibid above, at 27.

data collection is the victim's need to remain anonymous as well as agency workers' fear of retaliation by traffickers. Interestingly, they contend when expressing their needs, agencies tend to signal the lack of hard data to work with when dealing with trafficking.⁵³

In 2007 Gagnon and research colleagues discuss the difficulties in fully understanding the complex issue of trafficking in children. They contend the following:

... there is an obvious lack of knowledge among interview participants with respect to the phenomenon of trafficking in persons. The exact extent of trafficking in persons ... is difficult to assess {and} participants agree on the lack of reliable statistics. Consequently, the participants would like to see one uniform, precise definition relevant to the realities that exists. One participant refers to the need to collect data on victims of child trafficking in order to facilitate the work of governmental agencies and non-governmental organizations.⁵⁴

Trafficking in Persons - What is Known Regarding the Causal Characteristics

Poverty

The Report from the World Congress Against Commercial Exploitation of Children states the following:

Poverty cannot be used as a justification for the commercial sexual exploitation of children, even though it contributes to an environment which may lead to such exploitations. A range of other complex contributing factors exacerbate the vulnerability of girls and boys to those who would seek to procure them for commercial sexual exploitation.⁵⁵

The Twelfth Report from the Standing Committee on Status of Women reports that poverty is a root cause of trafficking in persons.

... many witnesses indicated that addressing the poverty of women is intrinsic to addressing trafficking in persons. While we recognize that

⁵³ Oxman-Martinez, et al *Victims of Trafficking in Persons: Perspectives from the Canadian Community Sector*, A Report prepared for the Department of Justice, Canada, August 2005, p. 31. <www.justice.gc.ca/en/ps/rs/rep/2006/rr06-3/rr06-3.pdf>.

⁵⁴ Gagnon, et al, Ibid, cited above, at 24, p.49-51

⁵⁵ *Report of the World Congress Against Commercial Exploitation of Children*, Stockholm, Sweden, 27-31 August 1996. <www.hartford-hwp.com/archives/28/024.html>.

poverty contributes to vulnerability to trafficking for the purpose of sexual exploitation and that it is a factor that requires a great deal of attention...⁵⁶

To reinforce these contentions, not all research or researchers see poverty as playing any significant role in the sexual exploitation or trafficking in persons.

The vast majority of the children encountered did not originate from poor families nor did these children think of themselves as “poor” – even given the deeply impoverished circumstances in which all were currently living (e.g. on the streets, in squats, in skid row quality motels, cars and vans, temporary shelters and even dumpsters). Indeed, most of the children identified themselves as being from working and middle-class families and, from their descriptions of their families; this appears to be the case.⁵⁷

They also report other factors being major contributors to child exploitation.

.... poverty was not the primary factor that contributed to their exploitation. Rather, family dysfunction (e.g., violence, mental illness, sexual and other intimacy boundary issues), family sexual assaults, familial or personal drug dependency, and recurrent school and other social failures were identified more often as the factors that contributed to the sexual exploitation of these children.⁵⁸

At a Save the Children Canada conference, Anita Sheth reminded the attendees that a trafficked child is also a separated child. She contends that the subject of trafficking in persons is for the explicit purpose of exploitation. She also proposes the following:

On {the} macro level, child trafficking has been linked to issues relating to market liberalization, immigration, national identity, labour, trade, and foreign exchange earning contributions ... On a micro one level {child exploitation} has been linked to the impact on families, child abuse, impact of technology in rural settings ...⁵⁹ She explains, as well, that the Government interest in this issue mostly focuses on measures to control - what they regard as an assault on their borders. The interest has less to do with rights violations, even though it does include this, and more to do

⁵⁶ Ibid, cited above, at 49, p.9.

⁵⁷ Richard J., Ester, et al, previously cited in 21 at p.41.

⁵⁸ Ester, Richard J. et al, previously cited in 21 at p.42.

⁵⁹ Anita Sheth, “Speaking Points Meeting on Separated Children and Launch of Best Practice Statement”, YMCA, Toronto, Unpublished, February, 19, 2003.

with the fact that trafficking of large number of non-nationals into a country gives the impression that governments have lost control of their borders.⁶⁰

In other instances [sex] trafficking

..... is not a poverty issue but a law-enforcement issue. You can only carry out this trade at significant levels with the cooperation of local law enforcement. In the developing world the police are not seen as the solution for anything. You don't run to the police; you run from the police.⁶¹

Researcher Landesman claims that this situation is not restricted to developing countries but in developed countries as well. He suggests that

... border agents and local policemen usually don't know trafficking when they see it. The operating assumption among American police departments is that women who sell their bodies do so by choice, and undocumented foreign women who sell their bodies are not only prostitutes (that is, voluntary sex workers) but also trespassers on U.S. soil. ... a teenage girl arrested on Sunset Strip {Los Angeles, California} for solicitation, or a group of Russian sex workers arrested in brothel raid in San Fernando Valley, are automatically heaped into a pile of workaday vice arrests.⁶²

Finally, Landesman concludes on a particularly sad note.

Who can expect a young woman trafficked ..., trapped in a foreign culture, perhaps unable to speak English, physically and emotionally abused and perhaps drug-addicted, to ask for help from a police officer, who more likely than not will look at her as a criminal and an illegal alien. Even Andrea, who was born in the United States, says she never thought of escaping, 'because what's out there?' We had customers who were police, so you were not going to talk to a cop. We had a customer ... who was a child psychologist ... 'So who are you going to talk to?'⁶³

This condition, "fear of law enforcement", is recognized by the United States, Federal Bureau of Investigation (FBI). It was made clear during Michael Gavin's FBI training presentation on the psychological challenges of investigating offenses of human trafficking.

⁶⁰ Anita Sheth, Ibid cited above at 73, p.1.

⁶¹ Peter Landesman, *The Girls Next Door*, New York Times, January 25, 2004, p. 8.

⁶² Ibid, cited above at 76, p.14.

⁶³ Ibid, cited above at 76, p.18.

“Not just the ‘Stockholm Syndrome’ {but} fear of law enforcement based on conditions in home country.”⁶⁴ Later on in the research, he advises investigators to “Question carefully!” Fear and cultural barriers will make victims seem not to have been exploited ...”

In Canada, as reported in a strategic action plan prepared by Gagnon, and others, a similar situation seems to be happening.

“Among other risk factors mentioned ... {including} a lack of police involvement have all been emphasized.”⁶⁵

Michelle, a 12 year old from New Brunswick, who was abducted by three men and held for 6 weeks, relates a similar type of disinterest on the part of authorities.

“..... The men eventually became bored with abusing me and let me go. Finally, I go back home, but my parents, the social worker or the police didn’t believe me when I told them what happened to me. They all treated me as a run away - not as a young girl who was trafficked and sexually abused for 6 weeks. As a result I rebelled and stayed in the sex trade for 15 years.”⁶⁶

Social Isolation

Young girls who have been physically, psychologically or sexually abused are often further victimized by recruiters/traffickers.

It is much easier for traffickers to recruit young people with family problems, a history of sexual abuse or mental health disorders. Many child victims of trafficking come from dysfunctional families and live in a violent environment. The same is true for runaways or children with low self-esteem. According to a study by the *National Incidence Studies of Missing, Abducted, Runaway and Thrownaway Children in the United States*, an estimated 1.6 million children were living on the streets in the U.S. in 2002. Roughly 40,000 of these children were recruited by traffickers for sexual exploitation.⁶⁷ (In extrapolating this ratio to Canada,

⁶⁴ Michael T. Gavin, Handouts prepared for in-house FBI training session on human trafficking. Undated.

⁶⁵ Melanie M., Gagnon, Ibid at 24, p.11.

⁶⁶ Michelle’s story appears as Appendix III, in Shona Stewart, et al, 2007. Discussion Paper: *Domestic Trafficking of Women in Canada*. Prepared for the Canadian National Coalition of Experiential Women, Vancouver, BC. November, p.27.

⁶⁷ Melanie M. Gagnon, Ibid at 24, p.10.

and adhering to several assumptions, it is crudely estimated that roughly 1300 children reported 'missing' in the RCMP Missing file are being trafficked annually for sexual activity. The accuracy, of course, of the U.S. assertion has not been substantiated either at home or elsewhere).

A United States study provides insight in the process of social isolation by reporting that

49% of a sexual assaults against children are committed by persons known either to the child or the child's family - teachers, coaches, physicians, scout leaders, neighbors and that 47% of sexual assaults against children are committed by members of the child's own family - father, step-father, uncles, and other siblings.⁶⁸ (These numbers cannot be combined as some respondents had entries in both categories).

A Canadian study completed by Sidney in 2006 showed that street youths had experienced various types of abuses. In his study of 100 street youths during the winter months of 2006 he found that

76% of males and 80% of females were either physically, emotionally, or sexually abused or neglected while on the streets. He also found that 75% of males and 85% of females were experiencing the same types of abuse before leaving home. Additionally, he found that 55% of females on the streets were 'kicked out' of the home, while 51% of males were 'kicked out' also. Finally, in his sample, 49% of female street people were runners, while 45% of the males had run away from home.⁶⁹

Aboriginal Community Observations

In an attempt at describing domestic sex trafficking of Aboriginal girls in Canada, Sethi has established a compelling argument that Aboriginal communities contribute significantly to the involvement of Aboriginal girls in the 'trafficking in person' issue. Based upon a legacy of a colonization and residential schools, in some Aboriginal communities, culminate as fundamental factors behind the sexual exploitation of Aboriginal girls. It is further stated that

The destruction of the social structure and {Aboriginal} family support system has rendered some communities dysfunctional thus leading to

⁶⁸ Richard Estes, and Neil Alan Weiner, Ibid, at 21, p.59.

⁶⁹ Thomas M. Sidney. 2006. *A Better Understanding: The Street Youth Population in Ottawa*, 2006. Unpublished. May at p. 5 and 6.

increased rates of violence, sexual abuse, substance abuse and suicide rates.⁷⁰

Sethi further continues

There is {a} need to focus on addressing the role of men in Aboriginal communities. National level initiatives catering to the abuse and trauma that men have suffered ... are limited. Domestic trafficking of girls will continue to be a self perpetuating phenomenon and the efforts to heal girls might not yield the desired results so long as the role of their abusers, remain unaddressed. ... fundamental issue that puts aboriginal girls in a disadvantageous situations today underlie the importance of recognizing and addressing their sexual exploitation as integral to the dialogue on trafficking within Canada.⁷¹

Some tacit support for these assertions is also proposed by Oxman-Martinez, and others, when they outlined their action for dealing with trafficking in persons. Prevention is one of the key components of their model and they stipulate that funding for prevention

... must address the conditions of poverty, domestic violence and drug dependency, particularly on Aboriginal reserves, is essential.⁷²

In advancing their prevention model Gagnon, and others, contend that several factors must be considered when dealing with the commercial sexual exploitation of Aboriginal youths. These are

Low self-esteem; previous experience of physical, sexual and psychological abuse; a history of running away from home and shelters ...; few job opportunities; temporary or permanent homelessness; a culture and family system fragmented by colonization; a lack of role models and of attention from elders ...; a disproportionate representation in the judicial system; and finally, the media that depicts Aboriginal youths as an embittered problem group ... due in large part to their high suicide risk.⁷³

Results from a study examining violence in the lives of Aboriginal girls at the Kaini First Nations in Alberta the authors state that

⁷⁰ Bennett & Shangreaux. 2005 as reported by Anupriya Sethi. 2007 in *Domestic Trafficking of Aboriginal Girls in Canada: Issues and Implementations*. First Peoples Child & Family Review, V. 3, No. 3, pp. 57-71.

⁷¹ Anupriya, Seithi, Ibid at 52, p.68.

⁷² Jacqueline Oxman-Martinez, et al, 2005. Ibid at 58, p.29.

⁷³ Melanie Gagnon, (2007), et al., 2007. Ibid at 24, p. 12.

the historic experiences ... have left many Aboriginal people, families and communities struggling today with poverty, family and community breakdown, substance use problems and violence. Children and youth who are exposed to these kinds of things are more likely to become aggressive, violent or gang-involved.⁷⁴

In leading up to their concluding recommendations they further endorse that

Violence also seems to be an everyday part of the girls' lives. At the very least, each girl has heard stories of physical violence and virtually all the girls have seen it. Some have been directly involved in violence, most often as a victim. Physical violence (including domestic abuse and other forms of family violence), intimidation and emotional abuse occur at school, on the street, inside homes and inside families and are frequently associated with alcohol use. Unsurprisingly, when asked whether or not they feel safe in the community, only a few of the girls indicated that they did.⁷⁵

In his examination of the 2006 Statistics Canada Census data, Milke concludes that Aboriginal and other people living in rural communities and on reserves are more disadvantaged economically. The fact that the Aboriginal population is largely rural, contrasts sharply with the non-Aboriginal population, three-quarters of whom live in urban settings. He also states that these situations place greater stress on education, income, earnings, labour participation rates and unemployment. He continues as follows.

Happily, there are exceptions. Notably, there is a set of positive earnings, on some reserves. But the exceptions are just that. It's no secret as to why many reserves and the inhabitants thereon suffer: many of Canada's reserves are far from large urban centers where educational and career opportunities abound ... Simply put, for most of Canada's Aboriginal population, life is better in the cities.⁷⁶

In addition to social isolation, Dorais 2006 points out that physical isolation is also a strong factor in promoting the trafficking in persons because it further extends the argument against the possibility of discovery by law enforcement and other enforcement personnel. He states the following:

⁷⁴ Helen McFaden and Janet Sarson. 2008. Violence in the lives of Girls in the Kainai First Nations. Stardale Women's Group Inc. Alberta, Canada. June, p.1.

⁷⁵ Helen McFaden and Janet Sarson, *ibid*, at 89, p. 10.

⁷⁶ Mark Milke. 2008. Better off in the City. National Post, Thursday, November 27, 2008, p. A12.

Certain girls have reported being held captive 24 hours, 7 days a week in hotel rooms and subjected to servicing clients in order to avoid beatings and starvation. Isolation therefore increases the risk of violence and decreases the chances of police intervention.⁷⁷

Push and Pull Factors

It is also considered that the trafficking in persons is driven by a set of interrelated “push and pull” factors.

Push factors that can lead to traffic in persons include extreme poverty, unemployment, lack of education and opportunity, lack of information, inadequate social programs, gender-based inequalities, war and conflict situations and political unrest in originating countries are some of the factors.

Pull factors include a globalized, free market economy that has increased the demand for cheap labour, goods and services in countries of destination. Further, new communications technologies, including the internet, operate without national boundaries and can be difficult to regulate. These technologies allow for instantaneous and worldwide opportunities to facilitate the {traffic in persons}.⁷⁸

In situations of armed conflict, children are even more vulnerable according to Gagnon, and others.

During armed conflicts, governments and their administration are often rendered ineffective or inoperative; poverty increases, particularly with the death of a parent or guardian, making children more vulnerable to trafficking. For example, the most recent conflict in Iraq has led to a resurgence of child trafficking; without a stable government, the number of traffickers has increased dramatically, thereby paralyzing officials and other authorities working with children.⁷⁹

Much attention has been paid to the impact of globalization on populations. One of the most obvious consequences is the change in the structure of the job economy and the nature of the traditional job.

⁷⁷ Michel Dorais. 2006. *Jeunes filles sous influence: prostitution juvenile et gang de rue*. VLB Editeur, Montreal, p.5.

⁷⁸ United States and Canada. 2007. *Bi-National Assessment of Trafficking in Persons*. The Governments of the United States and Canada. p. 3 & 4.

⁷⁹ As reported by Brian Bennett in Time Magazine, 2006 and reported by Melanie M. Gagnon, et al, 2007, Ibid at 24, p.11.

This causes a loss of income for many families who find themselves raising their children in poverty. These children become a prime target for traffickers who are looking for cheap submissive labour. Thus, globalization is a major factor in trafficking in persons to the extent that it contributes to the mobility of persons, poverty, unemployment, unstable jobs for young people, illiteracy, and the extension of international organized crime.⁸⁰

Organized Crime Involvement

There is sparse data on the involvement of organized crime in the trafficking of human beings in Canada. Following the review of a large number of English-language press between 1994 and 2002 Bruckert and Parent contend that “{On} the whole, media coverage of the issue is rather limited with widely-used wire stories but few locally written articles.”⁸¹

Since 2002 the Annual Reports of the Criminal Intelligence Service Canada (CISC) made repeated reference to both international and domestic organized crime figures being actively involved in the traffic of persons.

The most recent CISC publications will be referenced.

In 2006 the Annual Report stated that “Canada continues to be a destination and transit country for smuggled and trafficked individuals, with some people forced into labour or sexually exploited in environments such as private clubs and massage parlours. However, the scope of these criminal activities in Canada is a small percentage of the international (or even the North American) criminal market.”⁸²

In 2007 the Annual Report stated that “{D}omestic trafficking in persons (TIP) is a sub-component of Canada’s sex trade. {The} CISC Central Bureau identifies eleven organized crime networks that are actively trafficking women and under-age girls within Canada. The networks’ operations parallel international human trafficking patterns in their recruitment, movement, control, and exploitation of females. This modus

⁸⁰ As reported in Melanie M. Gagnon, et al (2007), et al, *ibid* at 24, p.9.

⁸¹ Christine Bruskert and Colette Parent, 2002. *Ibid* at 46, p. 20.

⁸² Canada. Criminal Intelligence Service Canada (CISC). 2006. *Annual Report*, Online at: cisc.gc.ca/annual_reports/annual_report_2006/frontpage_2006_e.html. At p. 4.

operandi is on the verge of being recognized by law enforcement as domestic TIP, although it has traditionally been regarded as prostitution.”⁸³

In 2008 the CISC Strategic Intelligence Brief stated that “{D}omestic trafficking in persons (TIP) operates parallel international TIP patterns in their recruitment, movement, control, and exploitation of victims. Across the country, organized crime networks are actively trafficking Canadian-born women and under-age girls inter- and intra-provincially, and in some instances to the United States (US), destined for the sex trade.

Traditionally regarded as prostitution, cases of domestic TIP for sexual exploitation are emerging in Canada due to amendments to the Criminal Code of Canada in November 2005 that created indictable offences that specifically address trafficking in persons. In May 2008, a Toronto-native pled guilty to two counts of TIP in connection with forcing two young teens into prostitution; a first since TIP legislation was enacted in Canada.⁸⁴

Also, the 2008 Brief highlights that

{T}he frequent movement of prostitutes intra- and inter-provincially by organized crime networks is designed to isolate females, facilitate the creation and adherence to new loyalties (typically replacing the traditional family), as well as enable pimps to meet the customer demand for ‘new’ faces.⁸⁵

The 2008 Brief further contends that

Across the country, females trafficked in the sex trade are typically controlled by criminal networks that use direct force (beatings, abduction, rape, forcible confinement, and assault) and indirect forms of coercion, such as controlling where they live, work, with whom they associate, and threatening of family members.⁸⁶

In spite of these references, by Canada’s foremost police-based intelligence gathering agency, there has been little reporting on the charging of organized crime figures in the trafficking of persons cases. Since the coming into effect in 2005 of the legislation, the focus has been redirected, on the part of the police,

⁸³ Canada. Criminal Intelligence Service Canada (CISC). 2007. *Annual Report*, Online at: cisc.gc.ca/annual_reports/annual_report_2007/frontpage_2007_e.html. At p.3.

⁸⁴ Canada. Criminal Intelligence Service Canada (CISC). 2008. *Domestic Trafficking in Persons*. Online at: cisc.gc.ca/products_services/domestic_trafficking_persons/persons_e.html. p. 1.

⁸⁵ Ibid, cited above at 99 p. 1

⁸⁶ Ibid cited above at 99, p.2

from the 'old' charges of 'procuring' and 'living of the avails' of prostitution, to trafficking. Trafficking is viewed as prostitution. Obviously, and most disconcerting, is the fact that it seems that police and law enforcement organizations continue to view prostitution in an indifferent manner. It could also be argued that few police and law enforcement personnel fail to fully understand the seriousness and therefore, fail to understand the intent, of the trafficking legislation.

Most blatantly is the information reported in CISC reference reports, articles and bulletins, referring to international organized crime involvement in the transportation of persons into Canada and around the world. To further illustrate, to date there have been no reported cases of this activity in the local, national and international paper/print media.

A 2006 booklet published by the People's Law School has a broader and more comprehensive definition for those who traffic. It provides a more realistic and acceptable view of those who are involved with the traffic of persons. Anyone, with the proper motivation and opportunity can become involved in the practice of trafficking. They contend that

Perpetrators of trafficking can take many forms. Those who traffic human beings may operate independently, or work with a small network, or be a part of a much larger transnational organized crime network moving people long distances. In some countries, employment or talent agencies may claim to provide training and help for people who want to find legitimate work in another country but are really recruiting for the purpose of exploitation. In some countries, government and law enforcement officials may also be involved in trafficking.⁸⁷

The Gang Connection

While gang related activities can be viewed as a part of organized crime, it is treated separately here because of the primary attention it obtains in reports and manuscripts reporting upon the trafficking in persons. Earlier in its historical definition the term gang may have had a legitimate basis in organized labour. In recent years however, the word gang, by definition, relates to an organization whose focus is to obtain goods and services through illegal means. Therefore, it is in reality, organized to commit crimes. In Canada, and since 2005, any publically reported information on the incidents of trafficking in persons has been to report upon the activities of individuals or recognized street gangs.

⁸⁷ The Peoples Law School, 2007, at p. 5. Online at: www.publiclegaled.bc.ca under 'publications', July.

Several examples are provided:

The average age of children involve in child prostitution is 14 years, which was also Canada's age of consent (currently raised to 16 years). A Quebec city-base police investigation disrupted a long-standing child prostitution ring run by a Quebec city-based street gang. Approximately 30 girls, between the ages of 14 to 17 years were controlled by this gang. Recruiters lured girls into the ring with expensive gifts and drugs.⁸⁸

... Ontario police investigated {a} gang of pimps who they say are trafficking in young girls and who are implicated in violent assaults, forcible confinement, destroying and/or withholding documents, and murder. As many as 50 men are believed to be luring Nova Scotia girls as young as 14 years into a sordid life of strip clubs and prostitution. The men recruit {the girls} in the Halifax region, transport them to Peel, and then down to Niagara. The girls are set up in a motel in Ontario where they start working at a club... The girls are expected to earn \$1,000 a night and aren't allowed to leave the club until they have met their quota. The girls can leave the business, but it comes with a price. The pimps demand as much as \$5,000 in exit money before they let them go.⁸⁹

"A Gatineau couple has been charged with forcible confinement, sexual assault and living off the avails of prostitution after three teenage girls were lured off an Ottawa street, held captive for up to a year and forced into prostitution, police say. Gatineau investigators believe they have uncovered a gang-related prostitution network that preys on vulnerable teens because the adults charged are associated with a street gang. ... the girls are given crack cocaine and alcohol, and were repeatedly beaten and sexually assaulted. One girl was confined for a year, two were held in the apartment for five to six months. One of them was tied up for 10 days."⁹⁰

A spokesperson for an Ottawa woman's shelter stated:

I have heard about young women being tied up for weeks, held captive for months and sexually assaulted. But the real danger to women is not

⁸⁸ Government of Canada 2008. CISC National Monitored Issues: *Sexual Exploitation of Children*. May. Online at: www.cisc.gc.ca/annaul_reports/annual_reports_2003/exploit_2003_e.html.

⁸⁹ Charles Mandel. Can West New Service. 2007. *GTA police seek task force to deal with N.S. pimp problem*, Thursday, October 25, 2007. Online at: www.canada.com/components/print.aspx?id=59d25d07-35ad-4a63-8e25-7120e2be.

⁹⁰ Dave Rogers, Andrew Seymour and Geoff Nixon. 2008. *Teens Forced Into Sex Trade*. The Ottawa Citizen, Thursday, August 07, 2008.

gang-related. Most women in shelters are there because their partners put them there.

A final news report from Western Canada stated:

A man is in custody after a 14-year old girl says she was lured into work as a prostitute. Officers approached a sex-trade worker ... who appeared to be underage. The girl gave two false names to police before breaking down and asking for help. The teen had been missing from her family home for three weeks. She says she met a Victoria man over the internet and he invited her to come to Victoria. When she arrived, he took away her identification and wallet and beat her when she tried to leave. Police are recommending several charges, including procuring for the purpose of prostitution and living off its avail.⁹¹

Summary and Overview

In adhering to the established format in the start of this presentation the following will be presented in point format. Support for each of the point items has been previously presented.

The Convention of the Rights of the Child was established in 1990 to protect children from all forms of sexual exploitation and other forms of illegal activity as relating to children.

The Palermo Protocol, more formally known as the *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention Against Transnational Organized Crime* entered into force September 9, 2003 specifically deals with the trafficking of persons.

The amendments to the Canadian Criminal Code (with Section 279), outlines the laws and specified punishments concerning human trafficking in Canada.

The lead for Trafficking in Persons initiative has been the Government of Canada through the auspices of the Department of Justice. While there is considerable impetus and merit to having centralized legal control and focus for this assignment there is a tacit assumption that the sole directive for dealing with trafficking of persons is through the administration of laws rather than through the cooperation of legal personnel with others from the social, medical, community and related non-governmental organizations assisting. This is quite obvious when the approach adopted by the Department is in three stages (as proposed

⁹¹ Unknown. 2008. *Man charged after teen says he forced her into sex trade*. Vancouver Sun, Tuesday, November 18. Online at: www.canada.com/vancouverstory.html?id=4a77741d-afff...

by the UN Convention), and starts with 'Prosecution' while other countries has seen this a final and end step. At the bare minimal, there should be a coordinated approach to addressing the problem whereby prosecution is merely one avenue to eradication and control.

While there has been extensive study of trafficking in persons there still remains confusion regarding what is the nature, scope and intent of the legislation in Canada, as well as the problem itself. This confusion exists at the policy, program and the operational street levels. This is a commonly asked question. Was the intent of this new initiative and legislation to provide new tools to address an age old problem, namely prostitution?

There is an urgent requirement to define the parameters around and between sexual exploitation and the trafficking in persons, especially children. Within Canada, in a general and broad sense, prostitution is defined as trafficking, yet it is not clear from the literature that this is the intended purpose on the international scene.

Within the Canadian establishment there are defined three types of trafficking in persons. These are as follows: the international trafficking through the facilities of organized crime whereby persons from outside of Canada are trafficked into Canada; the inter-provincial movement of persons from one province to another; and, the intra-provincial movement of persons within a province, from city to city, or town to town. Many police and other organizations have confirmed that they only relate the trafficking of persons to internet luring. This focus appears narrow and short sighted.

Currently there is no adequate means to measure trafficking in persons. There is sparse credible information available and little possibility of translating the current activities into reasonable, accurate and descriptive data. Therefore, it is imperative that Canada develop a proper tool which will allow for the reporting of all incidents of trafficking in persons that extends beyond the official governmental scope of activity and also includes non-governmental agencies involvement.

It is established that the circumstances and characteristics surrounding the trafficking in persons are complex. They are multi-pronged, including globalization, loss of community economic initiatives, individual weaknesses, greed and many others personal and abstract considerations.

While much of the impetus for this initiative extends far beyond Canada's borders, it has ramifications within its boundaries. In this regard, there is considerable effort to label Canada as a recipient and destination country for persons who have been trafficked elsewhere. Since the introduction of new legislation in 2005, there has not been any print-media cases of international trafficking reported within Canada that have been confirmed. The focus, it seems

(since the legislation has been in place), is toward dealing with situations where the previous legislation on prostitution would have applied. Undoubtedly, there are Canadian cases of international trafficking in persons, but there remains little apparent impetus on identification and prosecution of those involved by authorities.

Many writers and researchers have made a direct link between children being trafficked for the purpose of sexual exploitation in Canada, and those children who have been reported missing to the police by parents, caregivers and friends. Consequently, police and community organizations must work together to decrease the number of runaway children reports, deal more vigilantly with the investigations, and provide realistic help for those who do run away from home or care.

Children who runaway from home, a place that should be safe for children, are at risk for trafficking in persons, and therefore must be given priority in police investigations. Although running away is not considered a crime by law per se, the circumstances surrounding running away reflect situations of abusive crimes committed against persons and the violation of the child's individual rights.

Many police organizations relate that there is nothing that they can do about children who run away. However, this literature review has clearly shown the relationship between running away and experiencing violence and other forms of child abuse at home. Therefore, it is incumbent upon the police to investigate runaway child reports immediately from the perspective of the *Rights of the Child*. The fact gleaned from experts is that happy children do not run away from home. As well, numerous Canadian studies have related missing and runaway children to sexual exploitation through the simple trafficking of persons.

To assist the police with identifying those children who have been violated while living at home, there is a paramount need to develop a screening tool that would facilitate the identification of children and other apparent victims who have been abused by parents and other care-givers. This (or several) screening tool would be used by joint police and non-police teams consisting of social, medical and other community personnel. In order to have an impact on the number of runaways who are indeed trafficked, every runaway incident reported to police must be addressed by this screening tool and reviewed by an investigative team. The emphasis is on team work as a key element for success.

Police organizations must also continue to be vigilant and aggressive in their efforts to recognize and identify adults and children who have been trafficked in Canada by international organized crime figures.

Conclusions from the Review of the Literature

After careful examination and consideration of many sources, the thrust of Canada's approach to the issue appears to focus heavily on the arrest and prosecution of offenders. Although this is one approach to the issue, there is a need for a broader approach, including a national action plan.

Additionally, to date, after a review of the literature and analysis of related situations, the most recent charges laid by law enforcement officials as "trafficking in persons", are attached to prostitution legislation. Even though efforts are made to address advocacy groups concerns, and show accountability for numerous related initiatives, the official response to the plight of runaway and other marginalized groups of children seem weak.

As reported in the National Missing Children Services Reference Report, each year in Canada, it is estimated that police receive about 40 to 50,000 runaway child reports; about one third run from home and one quarter from foster care. Additionally, an estimated 12,000 reports of children are considered by police as "Unknown" missing - some reports show half of these are runaway children. Fortunately, most of these children return home unmolested and unharmed but those who do not, are vulnerable to victimization by recruiters and traffickers.

Research findings also show a close relationship between running away from home, abuse and sexual exploitation while living at home. This relationship is particularly true for children living in aboriginal communities. Some studies and reports state that a range of 70 to 97 per cent of all runaways are abused prior to leaving home, either physically, sexually, emotionally and/or nutritionally. In essence, abuse is occurring at home, by parents and significant others. To prevent some children from running away, this problem must be addressed.

Should these findings have merit in addressing the situation, then it is difficult to understand why police and other authorities hesitate to intervene and search for all runaway children who are missing and reported to police. In essence, are authorities protecting the rights of all children from neglect, cruelty and exploitation as stated in the Convention on the Rights of the Child that Canada upholds?

In spite of the entrenched provisions in both Federal and Provincial legislation to deal with the trafficking in persons (refer to Protection of the Child section), authorities and officials continue to overlook the abuses of runaway and other marginalized children identified in national surveys and reports.

Much effort in many nations has been expended on the plight of trafficked persons. Causes have been proposed ranging from wars, global economy, high rates of poverty, home structure, schooling, parenting, rural housing, and many

others. Yet, Canadians, and their officials, continue to find themselves searching for the 'magic, yet all inclusive cause and approach to a solution'. Perhaps, there is no cause. Maybe children just find themselves trapped, and unable and unprepared, to cope. Some Canadian children live in adverse conditions, which affect their growth and development as well as their coping and decision making skills. Yet, the protection of compromised children is not well understood and consequently the solutions are condensed and scattered.

Many advocates claim that happy children do not run away. Yet, for some reason there were estimates of around 55,000 reports of children (Canadian Police Information Centre system, CPIC) who run away. Based on an assumption (See Social Isolation Section), an estimated 1,300 children (from the 55,000 recorded as missing by Canadian police each year in Canada) are trafficked into sexual exploitation. For these runaways there is very little choice. They recognize they are in need of assistance for their situations at home and other care situations and, in turn, run to the streets in search of help to survive their situation or an alternate lifestyle. Once there, they soon realize that they stand alone against a life of abuse on the streets or if they choose to return home they may face abuse at home. Those who remain on the street join up with other marginalized children/youth seeking to belong. Some use and abuse drugs and link up with willing pimps and other unscrupulous individuals; individuals who use children as a means of illegal income and personal ego enhancement.

In reflection, everyone is bent on solving the problem of trafficking in persons (or children) but the information available is sparse. Therefore, in relation to definition, content, and scope, there lacks a clear picture of the situation with facts to support it.

The simple linear expression relating the activities of abusing, running, pimping, abusing drugs, and trafficking in children is occurring in Canada, but not understood in terms of its relationship to child sexual exploitation and organized domestic trafficking. One way to address the problem is to identify and act upon any abuse experienced at home. When these abuses exist they push children to find alternatives, such as running away and often homelessness; situations which makes them vulnerable to trafficking. Even with these known risks, in some situations, law enforcement are reluctant to begin a full scale search when a child is reported missing. This practice jeopardizes their rights to protection, resulting in some children joining gangs to keep safe from harm.

As well, when the investigative action on a missing report is absent or slow, authorities indirectly allow the continuation of many forms of child abuse occurring in Canadian homes. These abuses are illegal and covered by criminal and other related legislation throughout the country, and exist to protect all children at all times from harm.

Although this research aims to protect Canadian children who are trafficked within Canada, continued law enforcement efforts are vitally important to eradicate international child trafficking. Additionally, Canadian recruiters, operating outside Canada, who transport children from other countries to work in the sex trade in Canada, threaten and harm all children.

On this note, it seems appropriate to sum up with an illustration, and as well, the words of Martin Luther King Jr.

Linda came from a middle-class, Caucasian, family in Seattle. She was sexually assaulted on a regular basis by a neighbor from ages 9 to 14 years. Linda ran away from home at age 14 and one day while walking down the street from Jack-in-the-Box she was kidnapped by 6 men. They drugged her, beat her, and took her to a house where they tied her to a bed and each proceeded to rape her vaginally then anally. That same evening, she was taken to a mansion and sold to a pimp. She engaged in street prostitution and escort services in Oregon, Washington, and California until she came to Hawaii. At age 15, she had one abortion. At age 18, she had a complete hysterectomy due to all the damage done by constant Sexually Transmitted Disease (STD) infections. At age 19, she almost died from severe bowel and intestinal obstruction due to internal damage caused by anal rapes, beatings, and infections. Linda subsequently became heavily addicted to injection narcotics and worked in China Town.

Today Linda is in her thirties; she has AIDS, still struggles with her opiate addiction, and is 100 per cent physically and emotionally disabled.⁹²

Martin Luther King Jr. stated "An injustice anywhere is a threat to justice everywhere ... whatever affects one directly, affects all indirectly".⁹³

Assessment

This part of the research paper presents the analysis of the information gathered from 175 interviews in 20 sites with child support service, police agencies, and a few government agencies across Canada. The information collected intended to show the nature and scope of the problem and its relationship to the domestic trafficking of children.

⁹² Richard J. Estes, et al, previously cited at 21, p.55

⁹³ Martin Luther King. *The Letter from Birmingham Jail*, April 16, 1963

I. Possible Origin of Confusion

1. Trafficking Laws, Acts and Treaties Interpretation

In November 2005, amendments to the Criminal Code of Canada, via Bill C-49, created specific offences related to the trafficking of persons. These amendments did not define trafficking of children or persons per se, but they established some criteria for assessment. Consequently, most participants reported that it was difficult to state unequivocally that the sexual exploitation of children was “child trafficking”. Additionally, given the newness of the law and its occasional implementation, a challenge arose when attempting to gather appropriate facts to support arresting and charging offenders for this crime.

The United Nations Palermo Protocol had merits, but it appeared inadequate when assessing all types of cases or instances of child trafficking in Canada. After reviewing the literature, Dalley (2008), among others, stated “prostitution and pornography should also be considered forms of sexual exploitation, in whatever context they may be occurring, including activities within massage parlours, modelling agencies, exotic dancing clubs, and escort agencies.”⁹⁴ This observation certainly has merits worth exploring further.

The Palermo Protocol (Article 14) also states that no consent is possible for persons under 18 years of age. Therefore, when children work in the sex trade, without protection, it is a reflection on Canadian social values and norms. Many participants agreed that children have false identification while working in strip clubs and as exotic dancers, which makes their status as a child difficult to determine and law enforcement efforts, problematic.

The Standing Committee on the Status of Women, 2006, found the Protocol definition weak because of its lack of clarity with respect to the factors that constitute sexual exploitation.⁹⁵

The Canadian National Coalition of Experiential Women further affirmed that the trafficking of children includes sexual exploitation. They also declared that the basis of all definitions must be coercion of an individual to relocate or participate in some form of undesirable practice for the purpose of exploitation.⁹⁶

⁹⁴ Angus F. Dalley, *Review of the Literature: Determining the Nature and Scope of the Domestic Trafficking of Children*, Unpublished, National Missing Children Services RCMP, Ottawa, ON by ADM & Associates, 2008, 4.

⁹⁵ The Standing Committee on the Status of Women, *12th Report on the Study of Human Trafficking*, (Ottawa, ON: September, 2006), 4.

⁹⁶ Shona Stewart et al, *A Discussion Paper: Domestic Trafficking of Women in Canada*. Canadian National Coalition of Experiential Women, (November, 2007).

The Convention on the Rights of the Child, 1989, Articles 34 and 35 require party states to protect children from all forms of sexual exploitation and abuse, and proposes for states to criminalize the sale of children for purposes of sexual exploitation, including child prostitution and pornography. Canada's responsibility to protect children was clear in this document.⁹⁷

2. Terminology Interpretations

Terminology, such as "slavery" and "forced labour", are intermixed in articles and presentations on trafficking of children. This practice presents uncertainty and contributes to misunderstandings.

There is also confusion between the terms sex trade, sexual exploitation, prostitution and child trafficking. In 2007, the International Bureau for Children's Rights (2007) research study findings on the trafficking of children in Québec stated, and researchers of this project agree, that confusion exists between the terms "trafficking in persons", "prostitution" and "sexual exploitation". Since these factors are all very closely related, it is difficult for authorities to define and act on a situation.

The word *recruitment* and its connotation also present interpretation difficulties. Since boyfriends, family members and relatives, to name a few, recruit children into the sex trade, authorities hesitate to apply the trafficking law in some situations.

Additionally, the *transportation of children* is not well defined or understood. Many authorities find this element of the law complicated. Uncertainty prevails as they try to determine if the child moved from place to place within cities, from city-to-city or province-to-province willingly, or forcibly as a means of control. Since some children are high on drugs, when they move from crack house to crack house, gang to gang and the like, voluntarily or involuntarily movement determinations remain complex.

3. Insular Perceptions

To change current perceptions of the nature and scope of the trafficking in person issue as well as the challenges children face, ongoing awareness education is necessary. The trafficking of persons across borders to work in the sex trade, especially from one country to the other, is more often wrote and spoken about than the trafficking of children across provincial borders, within or around a Canadian city. Additionally, although exit programs are available across Canada, children face many challenges trying to exit, including dealing with drug addiction and finding caring support.

⁹⁷ Carol E. Morency, *Child Trafficking in Canada*, The International Bureau for Children's Rights conference, (Montreal, QC: November, 2004).

To explain further, firstly, the media (newspaper articles, television programs and movies) focus on the transport of women and children into Canada. The more common portrayal show women and girls (mostly teens), entering Canada with false passports from other countries. Recruiters and operators eventually confiscate the passport, leaving the girls without identification and protection. The child victim complies forcibly, and prostitutes to earn money. The victim's (mostly girls) are penniless, because the operator keeps all the money earned. Additionally, when the media features minors in the sex trade, they refer to them as prostitutes, and not sexually exploited and/or trafficked. Although these portrayals are sometimes accurate, this is not the situation for some Canadian children/youth. Consequently, these misconceptions place the majority of exploited children hidden from view are more vulnerable to victimization. In essence, portrayals of this nature potentially cloud the public, law enforcement and other professional's view of the intent of the law and the associated risks, especially as it relates to marginalized groups of children involved in the sex trade.

Secondly, the perception that children can exit the sex trade when they wish, as occasionally reported, reflects a rather narrow view of the child's circumstance. These children are minors, under the age of 18, who are controlled, and sexually exploited by adults. Factors, such as low self-esteem, early child abuse, behavioural problems, family problems, drug addiction, immaturity, lack of family support, and sex trade workers, to name a few, render them more helpless, therefore more vulnerable.

Thirdly, persons who view children working in the sex trade as voluntary participants, instead of sexually exploited children, are *making light* of an extremely complex and risky situation.

In essence, changing the perceptions regarding the sexual exploitation and possible trafficking of Canadian children is difficult but timely. An analysis of the site responses showed that the majority of participants indicated there was no trafficking of children in their city or town that they knew of. However, they agreed that children were involved in prostitution, and the majority were able to describe the nature and scope of this activity in their community.

II. Trafficking Perception Interview Analysis

An analysis of interview responses showed the uncertainty held by many as to the existence of child trafficking. Thirty-five per cent described the situation in their community as "maybe" and twenty per cent "very likely". Throughout the interview stage, most researchers working on the project preferred to reserve judgment, describing the situation as "maybe" or "could constitute" the trafficking of children. In essence, the responses were characteristically indecisive.

However, the findings stemming from 175 interviews revealed there was evidence of recruitment, occasional isolation, control of children, sexual exploitation and movement or transportation within a city and its surrounding areas, and to other cities and provinces. However, sadly, it was uncommon for participants to make a strong connection between sexual exploitation and domestic child trafficking.

Participants agreed that a standard definition is required that represents the realities of the trafficking of children in Canada. They suggested this change would provide a base for attitude change, create additional legal remedies, and help prevention and intervention programs deal with the situation more effectively.

Although authorities know that the sexual exploitation of children happens throughout Canada, its diverse nature is worth categorizing to provide some clarity for identification purposes. Perhaps, due to its descriptive complexity, the trafficking of children is indeed “a hidden crime”. This research report categorizes the types of sexual exploitation, showing that it is very diverse in nature. See the Section on “Understanding the Elements of Trafficking”, page 56.

III. Application Uncertainty Prevails Among Enforcement Authorities

Even though there have been a few trafficking charges and arrests since the implementation of the new law, this practice is very current. With heightened awareness and understanding of the trafficking in person’s (including children) laws, additional nationwide, domestic, prostitution-related charges will likely emerge. Peel Regional Police laid trafficking charges and secured the first two convictions.

IV. Understanding the Elements of Trafficking

The reports and interview summary analysis contributed to a greater understanding of three of the elements of trafficking. These are as follows: Exploitation, Recruitment and Transportation. An explanation, based upon the research interviews findings are as follows.

1. Exploitation

The sexual exploitation of children is diverse, and shown by the following categorizations.

1.1. Independent sex trade operation

a. Needs-driven

These children, mostly girls, sell sex for favours. They are “sexualized” early on in their development and consent to sex with a person for favours, like cigarettes, clothing or a case of beer. They operate individually from an apartment, home, common area (like a school) or through Internet communications.

If they live independently as some children do after age 16, they are prime targets for recruiters. They are on their own, lack the maturity to deal with or recognize a predator’s intention, and are without adult supervision. If they disappear and/or lured away from their apartment or other lodging, authorities may not receive a missing child report.

b. Survival-driven

These children trade sexual favours for money to buy the necessities of life such as food, shelter, and clothing. For regular drug users and drug-addicted children/youth, this practice is indeed survival sex. Some children solicit clients while standing or strolling on streets, commonly referred to as “kiddie strolls”, use Internet communications or operate indoors, to name a few scenarios.

Comments on Needs-driven and Survival Sex Types

The common feedback received from participants was that these children are able to leave the sex trade at any time, simply by taking advantage of the exiting programs and rehabilitation services available to them in their communities. In addition, most participants did not view these two types as related to sexual exploitation and possible trafficking.

Nonetheless, sexually exploited children are victims. These children are already comfortable selling sex for favours or to survive, which places them in a position of risk. Pimps, pseudo boyfriends, other girls working in the sex trade, are aware of victim’s situation and may target them for the sex trade and possible trafficking. Other girls, some their peers, recruit these girls to pay off their drug debt, gain favour with their pimp, and pay their way out of the sex trade.

1.2. Boyfriend-girlfriend Relationship Sex Trade

a. Mutual-dependency

Most often, these girls are enticed into a relationship, and the sex trade, by a male posing as a boyfriend, and professing to love them. Both parties mutually agree to remain in the relationship to earn money for example, to pay the rent, to

buy drugs, or to party. Sometimes they operate indoors, contacting clients by telephone, Internet or word-of-mouth and at other times, they solicit clients while standing or strolling a street. As minors, they are exploited.

b. Controlled-dependency

Young girls enter the sex trade by the traditional recruitment and sex trade grooming process. Through courting and giving of gifts, a boyfriend-girlfriend relationship is established. The girl is his main girl but is encouraged to recruit other girls to join, so the couple can have more fun and acquire more things. The controller punishes her if she is late, takes an unauthorized break or vacation, or does not meet her expected daily quota of tricks. Control by violence is commonplace. Most often, she works on the corner of the street owned by her so-called boyfriend or pimp. Although some strolls are more profitable than other are, in general, the sex trade is territorial.

The control process occurs very quickly because the recruiter targets girls who are naïve and lack self-esteem, thus ensuring their steadfast allegiance. The recruiter also finds out as much as he can about her family; information that can be later used as a control-allegiance mechanism. Some prime targets for recruiters/pimps are young girls who are new to the city, have run away from home or care facilities, live in shelters or alone, attend rehabilitation meetings, or are mentally or physically disabled or emotionally unstable. In essence, marginalized children/youth are easily lured, deceived and exploited.

Mutual-dependency and controlled-dependency comments

When discussing mutual-dependency, participants generally agreed that exiting the sex trade is voluntary, providing their needs do not escalate to a higher level for example, to drug addiction and/or gang involvement. In these two situations, exiting is more difficult, especially for those children entrapped in a control-dependency situation.

Some participants pointed out that there are ways to pay your way out of the sex trade, but for most victims this step would be very difficult and may compromise their safety. Victims and their families are often threatened, and some physically and sexually assaulted. If they use drugs or are addicted, they are easier to control, so although they have options, drug debt bondage, addiction and other sex trade related challenges are prevalent and compelling.

These sexual exploitation circumstances closely align the situation with child trafficking as elements like recruitment, movement within or outside the area, sexual exploitation, and control by another individual are present.

1.3. High-end sex trade involvement

These girls are working in the more exclusive sex trade industry, where pimps charge large sums of money for highly organized expensive and exclusive prostitution services. Organized individuals and families recruit from across Canada, sexually exploit and move them around the city, to other provinces, and on occasion to neighbouring countries.

This group is more unique than other ones because families are formed that have connections to organized crime groups, and as well support one another. However, the recruiters and controllers did not appear to select victims who have personal problems, or are addicted to drugs. Most often, if a girl develops a serious drug addiction problem, she is encouraged to leave.

High-end sex trade involvement comments

Participants were uncertain as to whether this type of sex trade involved children/youth. However, some participants reported that underage girls are “groomed” to work in the high-end sex trade but are not publically visible until they reach age 18. There was some evidence to show that underage girls work underground until they reach age 18. Since the facts were weak, as to whether the workers were minors or not, more research is required before this practice can be qualified. High-end sex trade activities are located in one central and two western urban centres, as identified in this study.

1.4. Gang-driven Sex Trade

a. Low-key gang activity

In some areas of the country, gang activity is low key, especially in Atlantic Canada. The participants described members as intellectually low functioning children/youth, who taunt others (especially homosexuals), and swarm kids to steal their possessions. Girls bully other girls to join in the activity. Girls, involved with these gangs, sell sex for favours or gifts, but they are not forcibly confined or trafficked.

b. Strong-rooted gang activity

In other areas of the country, especially urban centers located in central, prairie and western Canada, there is evidence to support strong-rooted gang activity. Some gangs are more organized and territorially wide spread than others. Girls are intimidated, controlled, and when violence is used, they fear for their safety. Gang leaders control them by moving them from one crack house to the other to prostitute. If a gang leader or a client wants a “new face” (different minor), they move them to a new site to work. Often, drug addiction problems enable the

leader to move them willingly. As reported by one participant: “under the influence of drugs, these young girls do not know where they are going or where they have been, making it almost impossible to track their movements.” In an effort to escape their circumstances, these girls recruit other girls to help pay their drug debt or to earn points to exit the sex trade.

In some areas of the country (mostly cities in the prairies), where the aboriginal population is visible, strong-rooted gang activity is more visible. Research participants reported that some aboriginal children grow up in a gang culture - a culture that grabs hold of and engulfs them. Not surprisingly, participants gave accounts of third generation gang and sex trade involvement. They travel (or are lured) from First Nations communities and live in the city. Upon arriving, they are prime targets for recruiters. Since these gang leaders are heavily involved in the drug trafficking business, the girls who join soon become heavy drug users and consequently trapped in the vicious cycle of prostituting to pay their drug debts.

Participants reported that gangs are operating in major urban centres from Halifax, Nova Scotia to Vancouver, British Columbia. Recruitment also occurs in Atlantic Canada, but victims are transported to urban centers to work, like Montreal and Toronto. As well, a relatively new trend is surfacing in some areas in the makeup of gangs. Today, instead of ethnically exclusive, they are composed of a blend of cultures.

c. Militia-based or biker gang groups

There are also militia-based or biker gang groups, who lure girls into the sex trade. They use even more violent, coercive and controlling methods than other gang leaders, including physical assault and burnings.

Gang-related sex trade comments

The stages leading up to trafficking are identifiable, that is characteristics such as recruitment, control by drugs (mainly debt bondage), fear and threat of physical harm if they do not comply, movement around the area, and sexual exploitation. Research participants agreed that drug addiction reduces these underage girls exit options. They are continuously moved around from different crack houses or “shacks” to another to prostitute and pay for the next drug fix. For most victims, the situation is a vicious circle of sexual exploitation.

The following illustration further describes this type of sexual exploitation.

Gang-related trafficking case description

Police in the Greater Toronto Area region recently investigated two cases of human trafficking in urban centres involving gangs originating from eastern and central Canada. Both gangs recruited young and vulnerable females with

promises of wealth, status, and stability. Following their commitment to join the gang, they used threats of violence and physical assault to ensure compliance. They were isolated from others, confined to a hotel room when not prostituting, and characteristically trapped without exit options.

1.5. Family Member-driven Sex Trade

Family members are recruiters and some participants described them as controllers. Interviews at several sites revealed that some mother's force, coerce and use their daughters in the sex trade in order to purchase drugs or pay off their drug debt. As well, some family members consciously force children as young as six years old into the sex trade. These children are given drugs to ease the pain and awkwardness of the situation - a practice that exposes them to drugs at an early age, and consequently may create an addiction situation. Research participants expressed frustration that this situation continues to flourish, fuelling the drug trafficking business, as well as the sex trade of minors. They describe this type of exploitation as intergenerational, especially linked to the plight of aboriginal children.

Investigations Solutions Network, Greater Toronto Area researcher summed up this practice in the following way:

The initial exposure of these victims to sexual exploitation is in the hands of their families. Unfortunately, these families create children/youths who have low self-esteem, abnormally sexualized personalities, and distorted views of loving relationships. This leaves children (and youth) highly vulnerable to additional victimization. Once they leave home, willingly or unwillingly, the motivation on the family's part to file a missing child report is not a high priority. As missing person reports are a reactive measure, the protection of these vulnerable children/youth also reflects the reactive nature of protection policy in general.⁹⁸

Family-driven sex trade comments

This type of exploitation was described as coercive, physically, emotionally, and sexually harmful to the child by a person in a position of authority. The parent-child relationship is characteristically similar to the pimping process as they recruit and sexually exploit their own children.

⁹⁸ Investigative Solutions Network Inc. *Greater Toronto Area Report*, Unpublished, Toronto, ON: February 2009 (National Missing Children Services, RCMP).

1.6. Internet-communication Exploitation

Several of the previously described sex trade methods use the Internet to contact clients, directly or indirectly. Minors operate their own sex trade business from their home, apartment, hotel room or other venue. They can operate without the involvement of another person for example, a pimp. However, if a pimp is involved, the protection of children in this non-visible sex trade situation is more difficult.

Underage girls who operate their own business on the Internet and/or copy high-end prostitution services are of particular concern to protection agencies. Experienced high-end prostitutes are usually adult women, well educated, drug free, and characteristically the type of person a wealthy man might escort to a party or event. Factors like compatibility, level of education and mutual interests often play an important role in their selection. Some buy a service described as “the girlfriend” relationship; a very expensive service.

Young, inexperienced, immature and less educated girls, influenced by television advertisements depicting glamorous lifestyles (including visits to other countries, owning expensive clothes, and attending up-scale parties and events), emulate so-called “high dollar hotties”. However, for the most part, these young girls are immature, not professionally perceptive, and less educated. Participants pointed out that this unprotected group of children/youth are at considerable risk in this type of sex trade.

Additionally, in three Canadian cities, participants described situations involving minors in the high-end sex trade. However, their situation differed from others in that clients communicated with them secretly until they reach age 18. They meet them in places hidden from authorities and the public. Further research study is required to gather more information and determine the role of Internet communications for these and other purposes.

2. Recruitment

The word recruitment, as defined in the Canadian Oxford dictionary states “an attempt to hire a person”.

Minors are recruited by the following persons, friends, family members (older sibling, parent, and relative), roommates, drug dealers, organized crime members, gang members, schoolmates, boyfriends, older girlfriends and women already involved in the sex trade, to name a few.

Although this research study has identified some recruiter commonalities and characteristics, it is very difficult to develop a recruiter stereotype. The degree of force, coercion, violence, deceit, used to recruit and control, as well as the venues and practices used for luring varies and is individually-tailored.

Unfortunately, as authorities devise and set up new ways to combat recruitment, approaches and methods change. Consequently, authorities must be constantly aware of changes in venue and practice.

The research findings showed some recruitment practices and associated risks to trafficking. However, more research is required to learn more about its prevalence and characteristics.

The recruitment techniques and practices identified are as follows:

2.1. Scout places where children frequent

Recruiters look for marginalized children where they hang out, such as shopping centres, bus and subway stations, youth centres, shelters, hotels (housing homeless children), libraries, and schools.

Marginalized and homeless children find lodging in hotels provided by municipal services.

2.2. Stage parties

Recruiters stage parties to entice young girls and some boys into the sex trade. At these parties, drugs are distributed freely making it easy to “hook a minor” when their guard is down, especially young, inexperienced girls. Drug supplying and gift giving is part of this practice.

2.3. Build Relationships

Recruiters “love bomb” or seek a boyfriend-girlfriend status. This process takes place over time. The recruiter establishes a friendly, loving, and dependency relationship with the targeted victim. The process may involve supplying food, accommodation and shelter as well as giving gifts, which may include tobacco, alcohol, and drugs.

2.4. Hustle Children at Community Events and Places

Children/youth attend celebrations, sports events, festivals (in particular, aboriginal festivals), which places them in a vulnerable position for recruitment. Some participants suggested gang member recruitment occurs at these events. A Vancouver participant related that girls who attend Alcohol Anonymous and Narcotics Anonymous meetings are targets for recruiters as well. More research information is required on recruitment at events and places, where children/youth congregate or receive services.

2.5. Adult Sex Trade Worker Solicitation and Recruitment

Women in the sex trade recruit younger girls to gain favour with their own pimp, meet the requirements to exit the sex trade, and/or earn money to buy drugs, to name a few reasons. These girls perpetuate the victimization of underage girls of all cultures.

2.6. Give an Invitation to Join a Gang or Group (Organized Crime)

Girls especially are vulnerable to this type of sexual exploitation. The gang member, adult or peer, invites the child/youth to join the gang. As part of the gang, they feel secure and protected - a situation that may not exist outside the gang structure. Sometimes they are gang-raped. Recruiters take photographs of the rape and threaten to show them to parents and friends, essentially blackmailing the victim. This practice also ensures compliance.

Low-key biker gangs also recruit very young girls. They groom them to work in the sex trade, and when they reach the age of 18, transport them to work in strip clubs and escort services in other places.

2.7. Promise an Alternative or Better Life Style

Recruiters promise some children a “better way of life”. Compromised children accept this opportunity. They are immature and lack the knowledge required to recognize a predators intentions, and additionally, understand the consequences of their decision.

These child-victim targets may or may not have had early sexual encounters. If not, they work in nightclubs, escort services and the like, which is intended to lower their inhibitions and teach them the “ins and outs” (groom) of the sex trade. They may or may not take drugs. When the recruiter determines they are ready to enter the sex trade (characteristics like drug dependency, shame, fear and suitably isolated from support systems), they are willingly and unwillingly, moved to other areas in Canada to work.

Some situations trigger children to opt for a better way of life. These are as follows: poverty; intergenerational abuse; early sexual encounters; low self-esteem; shame (rape victim); a longing for better things and lifestyles; drug use and dependency; a need to belong; peer pressure; mental and emotional instability; family desertion; homelessness; lack of economic and educational opportunities; and length and type of long term care.

2.8. Target Aboriginal Children Moving from Reserves to the City

In some cities, young aboriginal girls are prime targets for recruiters. They move from reserves to the city to access an urban lifestyle or to attend high school. The recruiter quickly identifies these vulnerable children, who are characteristically underage and developmentally ill-equipped to deal with these challenges. A Canadian researcher, who concentrated principally on aboriginal child/youth research stated in a public forum in Ottawa that some aboriginal girls were abducted from reserves and transported to cities to work in the sex trade.⁹⁹ This expressed concern requires further study as it relates to missing children.

2.9. Seek and Contact Child/Youth Victims through Internet Communications

Internet recruitment is currently popular. Young girls who advertise their services on the Internet expose themselves to skilled recruiters, who know how to approach and hook an inexperienced girl. Further study with a national focus is required.

3. Movement or Transportation

There is sparse information on the movement of sexually exploited children within Canada. However, participants described a few ways, and these are as follows. More research is required to learn more about their prevalence and characteristics.

3.1. Transport from one crack (or drug) house to another

Children/ youth involved with gangs are moved from one crack house to the other. These are places where cocaine and other drugs are prevalent. Since some girls are characteristically drug addicts, their movements are difficult to track because they do not know where they went, when, or for how long. In these situations, most controllers view these children/youth as commodities. Most often, they are controlled by force and violence. Protection agents expressed great concern for this group's safety.

3.2. Transport within and from city-to-city, as well as province-to-province

During the study interviews, one specific organized crime group, historically originating in the province of Nova Scotia and currently believed to have cells operating in other major Canadian cities, was identified as a group that targets

⁹⁹ Persons Against the Crime of Trafficking in Persons (PACT), *End Slavery 2008*. Bronson Centre, Ottawa, ON: December 2, 2008.

and transports underage girls to other cities and provinces. An illustration of the process is as follows. The recruiter grooms the victim for the sex trade in a city located away from family and friends - a situation that enables the recruiter to control the victim more effectively thus limiting their options to return home or to alternative care. When the victims are ready, most often described as compliant, the recruiter moves the victim to a new city where the demand for young girls in the sex trade is high. Other splinter organized crime groups, or cells, and gangs located across Canada operate a sex trade business similarly. They recruit and victimized children/youth for this and similar purposes. In these instances Canada's anti-trafficking laws would apply.

3.3. Transport or move following arrest warrants

If there is a criminal warrant for their arrest, some girls, but mostly women, move frequently. Some travel with their boyfriend from city to city or with other street friends. In relation to apprehension, it is unknown whether their movements are voluntary or involuntary. However, these girls are vulnerable each time they move to a new city to escape authorities because third party power and control is strong. It is so strong that some victims continue to work in the sex trade and send the money earned to their pimp living in another location. More research is required to understand this phenomenon clearly and fully.

3.4. Transport to booming towns of migrant workers

A few of the research study participants mention that trafficking of underage girls increases in places where the demand is higher - for example around oilrigs and mining areas. The interviews conducted in Fort McMurray, Alberta did not show that underage children/youth were involved in the sex trade or moved to and within this city. There were, however, some indications of an influx of adult women who were involved in the sex trade. More research is required on the transportation of minors to cities and towns affected by migration, in order to determine if child/youth sexual exploitation occurs, and develop its characteristics.

3.5. Transportation of aboriginal children from reserves to nearby cities

There are differing opinions regarding the transportation of aboriginal girls. Young girls leave or go missing from their home and reserve. Whether or not recruiters are involved is not clear. However, participants reported that the pull toward the city life is strong and the odds of recruitment into the sex trade increases for the following reasons: they are away from family and friends, new to the city, unaware of the services available to them if they need help, and transient. They change their place of residence often rendering it difficult to track and protect them from harm.

As well, they attend parties where they meet other girls involved in the sex trade, gang members, and members of organized crime groups. These parties and organized events may open the door for recruitment into the sex trade. Since this research established that their movements were difficult to track, more research is required to identify the characteristics, and consequently address the situation more effectively.

3.6. Transportation of children to major events

Major events, such as sports events, festivals, and celebrations occasionally warrant an influx of females to work in the sex trade. Women are in high demand for sexual favours at these events, and some minors, but the facts on children's involvement and risks are not well known.

IV. Groups of children at risk

The following section categorizes the groups of children at risk and the missing children reporting inconsistencies and considerations.

Some children are more at risk of recruitment and trafficking. This study enabled the researcher to develop several categories, listed and described as follows:

1. Primary groups

1.1 Runaway children/youth

Canada has some numbers but they are not inclusive. These numbers are generated by participating police agencies, when a missing child report is entered on the Canadian Police Information Centre (CPIC) system. National Missing Children Services, RCMP compiles and reports this information to the public yearly. A 10-year summary of Canada's missing children indicates that runaway children consistently generate the majority of missing child reports. In 2009, there were 35,768 in total, 20,741 reports of girls and 15,027 boys. Almost half of the missing reports involve children 14 and 15 years of age. The annual Reference Report shows that they run from a family residence or foster home more often than other places, like a school, detention and youth centers.

Even though over three-quarters of all runaway reports are categorized as repeat and chronic runners, almost one quarter are first time runners. Chronic and repeat runners are at risk simply by the nature of their patterns of running. First time runners are at risk too because they are inexperienced and therefore, vulnerable to control and recruitment.

It is important that Canada look at all possible scenarios whereby a child may be missing, and determine if the total number of missing runaway children is reflective of the national situation. A British Research team conducted a national

study on runaway children and were shocked by the number of young people who ran away each year, 77,000, including 20,000 under age 11.

1.2 Throwaway children/youth

Sadly enough, there are only guesses regarding the number of throwaway children. They are children not wanted and banished from home and care. They are living on their own, bunking with others, living of the street, living with “sugar daddies”, homeless, and generally living in places and circumstances hidden from authorities. They are more at risk to recruitment, since police are not searching for them. In essence, the reported group has hope of protection but the non-reported group must fend for themselves. This is one reason why throwaway children look for alternative ways to keep safe from harm, such as joining a gang for protection and security.

In retrospect, researchers can only estimate the numbers of children not reported as missing to police. In 2006, the Canadian Public Health Agency estimated that every day in Toronto, Canada 150,000 children/youth are living on the streets. If only a small number, 46,728 (2006) runaways are reported to police as missing, and entered as missing on the Canadian Police Information Centre (CPIC) data collection and investigative system, then one might conclude that a large number are throwaways. Consequently, these children are without the protection associated to the missing child police report. However, it is important to note this is an estimate but nonetheless, such varying numbers show inconsistencies and cultivate uncertainty.

In summary, for the most part, children who run away from home or care are reported to police as a missing child. On the other hand, throwaway children, not wanted by parents and caregivers, are hardly ever reported - a situation that increases their risk to harm.

1.3. Children/ youth communicating by Internet

Although not identified by the majority of participants, some participants agreed that the Internet was a way children/youth operate a sex trade business - an avenue of minimal visibility, consequently difficult for authorities to oversee and protect. To elaborate further, using the Internet, boys and girls advertise their services and solicit clients. Some are immature, inexperienced and ill equipped to deal with the risks associated with the situation. They are contacted by recruiters, often posing as clients, who lure them into different sex trade activities - some more risky than others.

In Halifax, Nova Scotia, a youth service participant described a situation as follows. Some men search out and chat with young girls. Over a period-of-time, they persuade the young girl to come to their residence to engage in sex. This practice often leads to a dependency-type relationship. The activity closely

resembles the “pimping of a minor”. They gain and maintain control by intimidation, isolation, assault, and threats of harm to the victim and her family.

To illustrate further, *The Province* newspaper, December 6, 2009 reported that a Kelowna man faces 33 sexual-assault charges for allegedly luring teenage girls, ages 13 to 16, using the Internet. Although the facts on this Kelowna case are currently scant, it does illustrate the potential of the Internet as a recruitment tool.

2. Sub groups of children at risk

2.1 Boys involved in the sex trade

In this study, researchers categorized boys as a group of children at risk, mainly because information was lacking on the risks boys face in the sex trade. The reasons for this situation are as follows: they use related services less often than girls so they are less visible and less transparent; they view most services as tailored to girls so they do not use them; and, parents more often consider the boy mature enough to face life “on his own”. Hence, at an early age, many boys in this group are unsupervised by an authority figure and if missing, they are not reported to police.

Additionally, third party control is not as evident with boys as with girls. Instead, boys develop a relationship with an adult man, called a “sugar daddy”, which is characteristically not a control situation. Boys operate in the sex trade independently and hidden from authorities in locations, such truck stops, alleyways, motels, and river strolls, making it more difficult to learn about this group and the trafficking of boys, if any.

2.2. Minors living independently

Another endangered group is the 16-year-old child/youth living independently on social support. Since historically they live in low-income housing areas or share a friend’s apartment, their living circumstance is one of risk because the situation attracts recruiters, gang members, and seasoned criminals. They are targets mainly because they do not have family support and supervision, a bonus for recruiters. In these circumstances, children/youth try to fit in with their peers in the same situation but their needs coupled with immaturity often negatively influence their choices. As well, police involvement may not occur in time to protect them from predators.

2.3. Minors living with older men

A few participants expressed frustration regarding circumstances involving older men sharing an apartment with very young girls, some 13 and 14 years old. This situation surfaced two times during the period of the study, but is worthy of note.

As well, at a 2009 national forum of academic professionals on children's rights to protection, participants expressed a similar concern for the safety of children living in this situation.¹⁰⁰ Similarly, an Atlantic Canada youth service agent overviewed a case for this research study as follows. An adult male, living with a young girl appeared in court for this offence. After making a determination, the child returned to her family home for a short period but as soon as the adult male was released from jail, she returned to live in the same situation. This practice and type of sexual exploitation occurred in spite of social, youth workers' and other authorities best efforts.

In Halifax, Nova Scotia, a participant also related that older men dating and/or living in apartments with young girls was occurring, and was of great concern to agencies and authorities. They observed that such relationships usually escalated to a third party control situation, and sexual exploitation. Sarah Hunt, an independent Aboriginal research consultant, in a public forum, November 2008 stated that older men dating aboriginal teenage girls is often seen as normal and not exploitative.¹⁰¹

To fully understand this categorization and qualify this practice, more research is required.

2.4. Black raced children/ youth

The only mention of sexually exploited black youth in the sex trade was in the Halifax/Dartmouth, Nova Scotia area. Police authorities reported an over-representation of black-raced girls as targets for recruiters. More research is required on this group of marginalized children/youth to understand the situation.

2.5. Aboriginal children/youth

The findings from this study showed that aboriginal and First Nations children/youth are more involved than other races in the sex trade in some areas of Canada, mostly while living in or near urban centres located in the prairie and western Canadian provinces. *Note: The interviews were conducted in mostly urban sites (See page 20).

The factors identified in this study that placed aboriginal children at-risk of harm are as follows: displacement from reserves and family in order to continue their education in the larger, nearby cities, and the *lure of the city* itself spurring them

¹⁰⁰ Children's Rights Academic Network, Carleton University, Landon Pearson Resource Center workshop, November 22, 2009.

¹⁰¹ Sarah Hunt. From *Mobilizing Aboriginal Communities in British Columbia: Addressing Sexual Exploitation from the Ground Up*. McCreary Centre Society and Justice Institute of British Columbia, November, 2008.

to leave home. Since they are away from family and peer support, they are prime targets for recruiters and controllers.

To elaborate further, more aboriginal girls than boys are involved in survival or needs-based sex trade work. Unfortunately, when they leave their reserves and communities and travel to urban centres, they are vulnerable to recruitment. In these situations, most often the recruiter seeks a loving boyfriend status with a girl victim, luring the girl into a relationship and the sex trade with gifts, such as cigarettes, alcohol and drugs. This mutual or controlled-dependency relationship involves the sexual exploitation of the minor to earn money for food, rent, clothing, and drugs. As well, limited or excessive drug use places the victim in a position of risk and/or possibly drug-debt bondage. To continue the supply of girls to an organized group, controlling pimps reward girls who recruit other girls into the sex trade, especially girls who are already members of, or seek to belong to a gang. Some join a gang to seek protection from the risks associated to street life.

Since this group of children move about and live in different places with relatives and friends, authorities find it difficult to track their whereabouts and provide ongoing protection - a lifestyle that creates an ideal situation for recruiters.

For the most part, aboriginal girls are not involved in the high-end sex trade, which is expensive, exclusive and most often run by highly organized crime groups rather than low-key gang members. The research showed that “high-end hotties” (high-end sex trade workers) are characteristically drug free - a characteristic reported as uncommon among the majority of this group of children working in the sex trade.

Family-driven sex trade is a problem relative to this group but is not exclusive to the aboriginal population. However, participants raised concerns regarding the protection of aboriginal children from abuse by family members prior to, and after entering the sex trade.

Ottawa, Ontario participants reported that this city continues to experience an influx of First Nations families. In some poor socio-economic areas, aboriginal women and girls are working in the sex trade but information was not forthcoming for researchers to conclude they were overrepresented. However, participants pointed out that aboriginal children/youth staying in hotels in this area, referred to as “recruitment pads”, are prime targets for predators who prey on children’s vulnerabilities.

Atlantic Canada interview responses did not target any specific group of children as overrepresented in the sex trade. Their responses characteristically showed that all races of children were targets for recruitment and possible trafficking. One responder summarized the situation as such, “It is rare to see an aboriginal child/youth prostituting on the street.”

As well, participants in Toronto and Montréal, large urban centres, did not report an overrepresentation of aboriginal children in the sex trade. Greater Toronto Area researchers postulated that one of the prime reasons for this finding was the availability and accessibility of effective grassroots support services for aboriginal children.

On occasion, there was mention of the abduction of aboriginal girls from or near by their reserve, and the subsequent grooming of these victims for sex trade work. This situation requires more rigorous research study to determine if it occurs, and if so, define its prevalence and characteristics.

The participants interviewed varied in their responses to the plight of aboriginal and First Nation's children/youth. A few gave accounts that provided a greater understanding of the situation. However, more research is required to learn more about the nature and scope of the situation as related to Canada's anti-trafficking laws.

Summary

The prime targets for sex trade recruiters and traffickers are reported and unreported runaways, throwaways, youth living independently unsupervised after 16 years of age, and those children/youth involved in the sex trade using Internet communications. The study showed that aboriginal children/youth are more at risk in some prairie and western Canadian cities, black children in one area of Atlantic Canada (more research required), and white, throughout Canada. Girls are prime targets for sex trade recruiters, and some boys, but more information is required on the risk to boys who work in the sex trade and possible recruitment into trafficking situations.

V. Future Challenges

Canada has incomplete statistics on all missing children, so showing trends and future projections is challenging. The current national data collection mechanism is based on police reporting of missing children, therefore some groups are not included in the totals, such as "throwaway" children.

The United States, whose missing children numbers seem staggering high in comparison to Canada, recently shared their concerns with international senior law enforcement officials at a 2009 United States National Centre for Missing and Exploited Children Chief Executive Officer training seminar. They estimated that in 2008 there were the following numbers reported: 1,682,900 runaways and throwaways; 1,190,900 runaways endangered by sexual or physical abuse, criminal companions, drug use (all under 13 years of age), and 350,400 children afraid to return home. Also related to international officials was the concern that as the United States population increases so will the juvenile runaway problem

grow, causing a rise in the number of run away occurrences.¹⁰² This was an alarming revelation. Although this observation applies only indirectly to Canada's situation, any similar increase in Canadian run away occurrences would certainly tax our already taxed police resources; a situation that would place runaway, throwaway children and other at-risk groups of children even more at risk than they are currently.

Missing Children Reporting

With regard to the reporting of children as missing, this study revealed that: police responses and investigative procedures vary. Police receive and act upon a missing child report in some incidents immediately, while for others, there is a delay, namely for repeat and chronic runaways. Since there is no national standard, each police department responds according to their policies, procedures and screening guidelines. However, it is important that Canada strive for national consistency in order to prevent the exploitation and possible trafficking of missing children. Alessia Longo, a Montreal project researcher, stated that "Although most police investigators are convinced the runaway will return shortly after they are reported missing, they are blind to the harmful activities and practices of controllers, which children endure during their brief periods of missing".¹⁰³

Some participants expressed concerns that there is an over reporting of missing children leaving or running away from care facilities, and this practice taxed police resources. National Missing Children Services (NMCS) incident analysis showed this trend as well. Therefore, more study is required to determine the policies and practices used by Canadian alternative care officials in order to find ways to address the situation and protect children/youth from harm. It is vitally important that police and service agencies cooperate and collaborate on the issue, to solve and/or improve the situation.

Discussion on Selective Findings

1. Police responses and investigative procedures to missing child reports vary.

In less densely populated towns and cities, the investigation starts immediately, and most often with citizen help. In larger cities, due to the volume of missing child reports, a risk assessment occurs but the start of the investigation varies in accordance with the results of the assessment. If the disappearance is

¹⁰² Missing and Exploited Children Chief Executive Officer Seminar, Jimmy Rice Law Enforcement Training Center, United States, April 20, 2009.

¹⁰³ Longo, Alessia. *An Overview of Sexual Exploitation, Gang Activity, Marginalized Groups and Other Links to Domestic Trafficking of Children in Montreal, Quebec*. Unpublished, Montreal: P.Q., December, 2008 (National Missing Children Services, RCMP).

categorized as a stranger abduction, the investigation is launched quickly for fear the child/youth will be murdered. For other incidents, there may be a short or long delay in launching the investigation. Since a variety of screening tools are used across Canada to assess the risks to children, some standardization may be required.

Further research suggestions are as follows:

1. Law enforcement - child protection

- to identify the screening and risk assessment tools currently used to prioritize a missing child investigation, with special attention to older runaways, who generate the majority of reports;
- to determine and evaluate their effectiveness;
- to identify the best screening tools and investigative models currently used across Canada and adopt some of these or their components, and share this information with other police agencies;
- to study the value and effectiveness of police vice units which have the potential to enhance such services;
- to identify any gaps in service delivery in areas where there are no vice units operating. *Some police participants pointed out that if vice units were located in every major police department, and some smaller ones, protective policing services for children/youth would be strengthened;
- to study the need for national screening standards; and
- to evaluate the different types of response plans, and develop a model approach.

2. Service delivery - child protection

- Identify existing child protection services models, evaluate their effectiveness, and develop a national service model.

Service models described during interviews.

A. In 2002, the Edmonton Police Service and other agencies spearheaded a new way to handle child abuse incidents, including missing reports by creating a Centre for these purposes. The Zebra Child Protection Centre in Edmonton is a not-for-profit organization, where a multi-disciplined team of professionals respond collaboratively to child centred occurrences in the community. A triage-type investigation occurs.

The Zebra Child Protection Centre multi-disciplined team includes:

The Child Protection Section of the Edmonton Police Service
 The Child at Risk Response teams (CARRT)
 The Edmonton and Area Child and Family Services

Child advocate community volunteers
 Off-site medical and trauma screening professionals
 The Family Protection Unit of the Crown Prosecutor's office (off site)

To elaborate further, if the missing or abuse report refers to someone under the age of 16, a police investigation starts immediately and a Child at Risk Response Team is dispatched. If there is an indication that a criminal offence has occurred, detectives become involved in the investigation. If not, CARRT (a Constable and a social worker) further assesses the situation and determines the best way to follow up on the report. Throughout the course of the investigation, interventions and prosecutions, cooperation and collaboration, continue between agencies.

As stated in their service kit, "No one agency or professional is fully equipped to prioritize the well-being of an abused child or youth and balance the stringent demands of justice."¹⁰⁴

B. Study the value, effectiveness and further applicability of the Surété du Québec Grid Approach mode. Surété du Québec used this model to assess the level of risk to runaways when they were required to respond to the high volumes of runaway reports. The Grid approach was evaluated as helpful in these situations.

In summary, both the Centre and the Grid approach are excellent tools. However, it is important to identify "best practices" in other jurisdictions as well, so that effective working models can be developed and shared with other police and service agencies.

3. Research the benefits of two agencies, police and child protection, conducting a follow up interview, after the child is located and returned to home or care.

To explain further, this purpose of this practice is to identify the root cause(s) of running away and act upon any contrary to the law. For the most part, research findings show that children run away from an intolerable home situation, in other words, happy children do not runaway from home or care. In evaluating a runaway incident, it is important to recognize that if a parent or caregiver, psychologically, physically or sexually abuses, and/or neglects a child in their care, they are accountable by law. In essence, the act of running away is not "against the law" but for example, having to endure abuse is. If authorities want to break the cycle of running away, suggested to tax police resources, then they must find the reason why they run and act upon them.

¹⁰⁴ Zebra Child Protection Centre, Corporate Package, 10909 Jasper Avenue, Edmonton Alberta, T5J3L9
www.zebracentre.ca

4. Missing children reporting findings

4.1 Missing children general reporting

The reporting procedure is relatively consistent throughout Canada. As soon as a child/ youth is reported to police officials as missing, a missing report is generated and the missing child particulars are entered on its national police database. However, police screening and assessment tools vary, which influences how soon the actual investigation begins. In some incidents, the “wait and see if the runaway returns” practice prevails. Additionally, when the child is safely located, most often, the root cause of running away is not addressed and they run away again.

4.2. Missing children non-reporting

Some parents and caregivers do not report their child as missing. The main reason is fear of repercussion. They fear the following: apprehension and punishment, especially if they are hiding something from authorities; loss of their child tax or welfare benefits; apprehension of their child for criminal activities; and the possibility of police discovering their “family” secrets.

As time is of essence, this practice also delays the missing child search and jeopardizes the child’s safety.

4.3. Runaway children incidents over reporting

There is an over reporting of children leaving care facilities without permission and these children are reported to police agencies as missing. To elaborate further, children consistently disappear from or leave care without permission, and this situation requires immediate investigative attention but there are questions as to whether this situation necessitates a missing child police report and full-scale investigation. Since these children have a tendency to run away multiple times, generating many missing reports, some participants mentioned that their investigative resources are overstretched. Nonetheless, protecting the child’s safety is critical and immediate action is required. A few participants speculated that authorities know where the child is located, but for liability reasons they file a missing child report. This situation requires further research study and some guidelines developed to address or improve the situation.

Additionally, some police officials pointed out that the reporting of runaways from care elevates missing children statistics, presenting an inaccurate provincial and national picture of the situation. Although this is a concern, further research is required to find ways to implement alternative reporting procedures, different incident scoring techniques, and as well find ways to handle these disappearance reports (missing from alternative home care) in different ways and still vigilantly protect children.

Conclusions

The Convention on the Rights of Children states that parties must protect children from all forms of sexual exploitation and sexual abuse, and Canadian laws commit to protect children as well. Various government and non-governmental reports have outlined ways that the federal government can play a continued leadership role in addressing these crimes against children by supporting and developing a national strategy or action plan, and conducting ongoing research study. Worthy of note, is the recommendation made by The Senate Committee on Human Rights in their 2007 report, “Children, the Silenced Citizens”. It recommended that Canada “develop a national strategy to deal with the issue of sexually exploited children.”¹⁰⁵ Dealing with this issue, may indeed prevent children from exploitation and possibly trafficking.

This research study findings also support those of the Senate Committee in the following ways. These are as follows:

- predators create a demand for children in the sex trade;
- businesses and networks thrive on the commercial exploitation of children;
- new technologies enable predators to exploit children in places hidden from authorities; and
- the fashion industry, media and the travel and tourism industry exploits children/youth.

The interviews showed that there were some difficulties with the interpretation and application of the law. The participants interviewed pointed out that some strategies, guidelines, resource manuals, awareness and ongoing training initiatives are necessary to help understand and consequently address the issue, not only from the law enforcement perspective, but also from a child protection/ service agency and crime prevention perspective. To recap, with better understanding users are able to match the law’s capability with its application value effectively.

Some researchers and participants stated that the trafficking of children “is a new name put on an old problem”, referring to the sexual exploitation of children, historically known as prostitution. This perception has merit, but nonetheless, the 2005 amendment to the Criminal Code of Canada adds value and its intention was to keep children safe from harm - and recruitment by traffickers. In an effort to gain the trust of public and service agencies, participants offered some suggestions. These are as follows: a vigilant and uniform application of the anti-trafficking law; punish offenders for their crimes; and set a minimum sentence for

¹⁰⁵ The Standing Senate Committee on Human Rights, *Children: the Silenced Citizens, Effective Implementation of Canada’s International Obligations with Respect to the Rights of Children*, (Ottawa, ON: April 2007).

the offence. To date, in a few situations, the application of the trafficking law has produced encouraging results.

Unfortunately, the media glamorizes the sex trade industry with their portrayals of exotic dancing, escort services and the high-end sex trade. These portrayals cloud the child/youth's perceptions of the nature of and risks involved in the industry. An important step in addressing the recruitment of children/youth into the industry is to support issue-related crime prevention programs in communities, including schools. This approach may help adolescence-aged children understand the dangers associated with running away, drug use, the sex trade, the risks of Internet communications, domestic and international trafficking, and other crimes involving children.

Participants also suggested that Canada develop and implement a national action plan or strategy to combat the trafficking of children within Canada. The inclusion of a law enforcement component in this plan, centering on sexual exploitation, running away, and/or possible trafficking, may help standardize investigation approaches nationwide, thereby lessening the chances of child victimization.

Children, in the stage of development between childhood and adolescence, are particularly vulnerable to recruitment because they are immature and ill-equipped to recognize and deal with predators. Sometimes the controller is a family member who forces the child to work in the sex trade. This finding closely aligns the situation with the anti-trafficking and other protection laws, because a person in a position of authority exploits a child in a dependency relationship.

It was common for participants to state that children learn the "ins and outs" of the sex trade during childhood, and before age 18. Some research findings supported this observation but further research study is required on the circumstances.

Some children have serious personal issues, such as low self-esteem, broken family ties, prior sexual and physical abuse, relationship difficulties, and addictions, which increases their vulnerability. Understandably, these children/youth are attractive targets for recruiters who groom girls for the sex trade and possible trafficking.

The interviews showed that the sex trade industry is an open door, enabling traffickers to enter, operate and victimize children/youth. In many sex trade situations, the recruiter gains the child's trust and lures the victim away from family and friends to unprotected surroundings with promises of a better way of life, membership in a gang, or gift giving, to name a few. Drug use and drug debt bondage, play a key role in the control and sexual exploitation of some of these underage children/youth.

The recruitment of girls and some boys to work in the sex trade occurred in many ways. Some are as follows: they contact children through Internet communications; scout places where children frequent; stage parties; build relationships; and hustle children at community events and celebrations. Additionally, women and youth sex trade workers, recruit children (minors) into the sex trade in order to receive gifts and other favours from their pimp/controller.

Pimps, gang leaders and other types of controllers transport children from city-to-city, province-to-province and within cities - some move willingly, some unwillingly and some are so drugged when they move, they do not know where they went, with whom or how long they were gone.

Many of the statements used by participants to describe children at risk reflected a lack of understanding of their challenges. In order to change attitudes, and understand the plight of victimized children, community awareness initiatives are needed which target parents, caregivers, professionals and children/youth. Some participants suggested that educational institutions, like schools spearhead these awareness initiatives.

A few examples of these statements are as follows:

- The children who run away from home or care are the ones who do not want to obey their parents nor respect their, or other caregivers, rules.
- They run away for an adventure.
- Children who prostitute have choices.
- Prostitution is not the same as sexual exploitation.
- Children can exit the sex trade at any time by using existing services.
- They are kids who do not want any help.
- They are drug addicts, so what are we expected to do.
- They like that way of life.
- They sexually exploit themselves.
- Runaways are on a revolving door (missing) that is they run away, return, and then run away again. This practice taxes protection resources.

Although some public awareness campaigns are currently in place across Canada, they must be ongoing, and continually emphasize the risk associated with child sexual exploitation and its relationship to possible trafficking. Additionally, they must show that the domestic trafficking of children exists, and dispel the popular perception that the trafficking of children is solely young girls and some boys entering Canada from other countries who are unwilling victims forced to work in the Canadian sex trade. They must portray the hidden abuse, and hidden crime affecting Canadian children, and the real probability that some are lured and trafficked. In addition, awareness initiatives must show children/youth that their chance of exposure and involvement in other crimes, some with serious consequences, increase when they participate in the sex trade.

This research study identified some cities where trafficking occurred, but additional research is required to quantify and qualify the nature and scope of the problem in these and other areas throughout Canada. The sites selected for this Pan-Canadian research probe were mostly urban, precluding that more research is required to gain a national picture of the situation.

For the most part, parents and caregivers report a missing child to police and an investigation proceeds as soon as possible. The search is more effective in smaller cities and towns because there are fewer reports and citizens assist police in the search. In larger cities, police use a risk assessment and/or screening tools to determine the urgency and type of investigative response. However, some participants reported that investigative delays occurred and this situation places some missing, especially runaway children/youth, at risk of harm.

In some situations, a parent does not report their child as missing for the following reasons: fear of losing their child tax and welfare benefits; apprehension of the child or themselves; and discovery of “family secrets”. This is a concerning find as these victims do not receive the same kind of police protection as children reported missing. More discussion is required between government and non-government agencies to find ways to deal with this problem.

As well, nationally focused research study is timely which identifies investigative screening tools, risk assessment practices, and gaps in services related to these factors. It is important for this future research study to focus on the risks to runaway, throwaways, homeless children and other groups of children outlined in this report. Canada must strive for some consistency in the search and recovery process in order to keep children/youth safe from harm. Practices, such as the 24-hour wait period or any extended wait period before launching a search, opens the door for predators to lure and recruit children into the sex trade, sexually exploit and possibly traffic them. Although the practice of “wait and see” is often an unwritten internal policy, it exists and children are at risk in these situations.

To explain further, repeat or chronic runaways who have the same pattern of running may be of greater risk to possible trafficking. Statements such as, “They run away on Friday and return home on Monday” were common among police authorities. This realization may create complacency.

Although the repeat runaway pattern exists (83% of 35,768 missing runaway police reports are repeat or chronic runners), the child/youth’s safety is in jeopardy during those missing episodes. If the child is abducted, or recruited into the sex trade for possible trafficking, delays in the start of the search is risky.

Although this study did not specifically solicit information on numbers and collection methodologies, generally participant responses indicated that there is a lack of reliable data sources to enumerate the validity and scope of the runaway, sexual exploitation and child trafficking situation in Canada. They also viewed these factors as inter-related.

To date, the total number of runaway children reported to police as missing each year is available, but the numbers are scant and varied on other groups of children at risk. In 2002, results of Great Britain's national research study showed there were 77,000 runaway incidents, and most shockingly, 20,000 were under the age of 11. In summary, Canada must seek to collect and collapse data on all groups and ages of runaway and street-involved children to create a national picture of children at risk of possible harm.

Report Summary

The findings of this descriptive study showed that children/youth are trafficked within Canada in some areas of the country by principally organized crime. Marginalized groups of children are more at risk of victimization than other groups. Children are more predisposed to recruitment for possible trafficking, if they work in the sex trade. They are lured and deceived by their predators, when they are characteristically underage and developmentally ill-equipped to deal with ensuing challenges. When trafficked, children have difficulty accessing appropriate services because they are characteristically in a control situation.

Drug addiction and drug debt bondage play a major role in the recruitment and control of children/youth who work in the sex trade. Since victims do not know where they went, for how long, and for what reason, while under the influence of drugs, movement from place-to-place is difficult to track as is the relationship to trafficked children.

Some elements of Canada's anti-trafficking laws were identified and described, that is sexual exploitation (page 57), recruitment (page 63), and transportation (page 66).

Inconsistencies and gaps in missing children reporting, investigation launch times, and follow up collaborative interviewing practices involving some police and child protection agencies occurred. A few participants suggested creating a national standard for the protection of runaway children with regard to the launch time, type of search, and follow up procedures. This suggestion is worthy of note.

Participants agreed that all agencies need to work together to provide protective services. An example of a cooperative collaborative approach is included in this report on page 75, The Zebra Child Protection Centre (Such approaches lessen children's chances of falling between the cracks and consequently finding themselves unprotected in a family and/or street-involved settings).

The study showed support for separate follow up interviews by police and child protection agencies, when a child runs away and is located safe. To elaborate, police have the tools and laws to address physical, sexual, and emotional abuse, neglect, and other stressors that spur some children/youth to run away as a coping mechanism. Running away may not be contrary to the law in some incidents but the reasons why they are running may be.

The value of creating a child-at-risk community profile and addressing the risks to children based upon need was evident. In support of this approach to child safety former United States Attorney General, Janet Reno, while addressing an international family law and children's rights conference, stated "if each community develops a plan and implements it, our nation will be stronger in its fight to prevent crimes against children".

There were several ways suggested to address the issue from a community perspective. They are as follows: develop a community profile (including nature and scope of sexual exploitation, trafficking, drug use and distribution, gang activity, types of predators and the like); identify victims challenges and seek solutions; develop and implement crime prevention awareness plans, especially schools; and ensure all agencies in the community are working together to protect children from harm.

In conclusion, as reflected in the action statements created by participants throughout the site reports, Canada must continue to address domestic child trafficking. Additionally, eliminate the hidden abuse and hidden crime affecting its children, thereby protecting their rights under *The Convention on the Rights of the Child* (Articles 34 -36), against all forms of neglect, cruelty and exploitation.

Action Statements Arising From the Research Study

General

- 1) Ensure all services, including law enforcement, social services, courts and not-for-profit agencies, use the current legislation definition to define the trafficking of children.
- 2) Include National Missing Children Services (NMCS), The National Child Exploitation Coordination Center (NCECC), and the Human Trafficking National Coordination Centre (HTNCC)} input into the development of a national action plan to deal with the issue of child trafficking, recognizing the links to issues such as running away, sexual exploitation, and risks to marginalized children.
- 3) Build upon existing partnership responses and best practice approaches and develop an integrated response to child victimization, including

- trafficking. Note: Some communities have integrated services while others work independent of each other.
- 4) Encourage and assist each community in the development of a reflective profile or description of the community's child victimization characteristics, especially as it pertains to runaway, sexually exploited, and homeless children/youth, and based upon the findings, develop and implement crime prevention initiatives.
 - 5) Continue to develop and advance upon community-based educational campaigns and awareness programs for the following purposes: to inform parents, children, and authorities; to show the risks involved in the sex trade and risks to possible trafficking; and to encourage additional action-oriented approaches to the domestic trafficking of children.
 - 6) Establish or build upon existing community information sharing mechanisms, partnering with agencies such as law enforcement, social service, child and youth services, health and other agencies in the community to address the issue of missing children/youth and the possibilities of trafficking.
 - 7) Conduct further research study. Suggestions are as follows:
 - 1) Identify the characteristics and trends as related to the following:
 - a. the elements of trafficking such as, recruitment, isolation, and transportation
 - b. drug trafficking, drug addiction and drug debt bondage, and its relationship to the trafficking of minors.
 - c. the role of gang involvement in the trafficking of minors.
 - d. the sexual exploitation of children by persons in a position of authority, like parents and family members, and its relationship to trafficking.
 - e. the recruitment and sexual exploitation of children/youth at Canadian festivals and events
 - f. the recruitment and sexual exploitation of children/youth in booming towns of migrant workers.
 - g. the risks associated with children living on their own, after they reach 16 years of age.
 - h. the risks facing homeless children living in hotels and shelters, described as "recruitment pads".
 - i. track and evaluate the information sharing process between child protection services, regarding child exploitation and possible trafficking.

2. Conduct a national incident study to determine the nature and scope of missing runaway children, including causes of running, characteristics (like age, gender), trends, patterns, recruitment risks, organized crime involvement and suggest ways to address the situation to protect children's rights under the related articles of the Convention on the Rights of the Child.

Law enforcement

1. Develop or build upon national trafficking of children investigative approaches to assure protection consistency across Canada. This approach may include the development or enhancement of screening tools, setting standards and/or guidelines, and including a follow-up interview after the child is located to determine and if required, act upon the root causes for running away.
2. Build on existing human trafficking law enforcement guides to include information on the trafficking of children. Most current handbooks address all trafficking in persons (TIP) situations.
3. Strengthen all existing ties with regional coordinators, including missing children and human trafficking, encouraging sharing of information on missing children linked to trafficking incidents, especially runaway children/youth and other marginalized children in positions of risk.
4. Address Internet child exploitation of children/youth as it relates to trafficking, by working together {The National Child Exploitation Coordination Center (NCECC), National Missing Children Services (NMCS), and the Human Trafficking National Coordination Centre (HTNCC)} to produce information, resource materials and investigative tools targeted to this issue.
5. Seek to enhance NMCS service to law enforcement by adding an operational analyst person to the Unit, responsible for runaway missing and marginalized children/youth national investigative assistance, identifying trafficking links, collaborating with HTNCC on related issues as required, and providing leadership in crime prevention, policy review and further development. Other duties may include spearheading missing children awareness and crime prevention initiatives, and assisting with runaway and trafficking children research studies.
6. Promote the use and sharing of information from all law enforcement information systems, so police agencies can benefit from the information and related intelligence gathered for investigation purposes.

7. Meet and discuss with Canadian Police Information Centre (CPIC) officials to determine if there is a way to flag (or other warning) runaway incidents, to provide more information for investigation purposes on running away incidents, and to add a risk factor rating to the incident entry. If this type or a similar warning exists, develop a plan to communicate the information to law enforcement.
8. Create a way to modify a CPIC report by updating a report rather than entering a new report each time a child runs away. Provide a system space to keep updated information on the incidents to help police assess the risk to a child (A child may run away 40 times a year, each time creating a new incident).
9. Sample and examine the current police reporting systems as it relates to runaway reporting and investigations and make suggestions if required, for change.

Suggestions arising from this research for future studies

Conduct further research on the domestic trafficking of children and its relationship to missing and exploited children, in cooperation and collaboration with the following: The Canadian Police Centre for Missing and Exploited Children {National Missing Children Services (NMCS) and National Child Exploitation Coordination Center (NCECC)}, and the RCMP Human Trafficking National Coordination Centre.

1. Review national and provincial missing children reporting procedures, including runaways, using existing data collection mechanisms and determine if inconsistencies exist.
2. Conduct a national survey to determine the criteria for and types of screening tools used by law enforcement to evaluate the urgency of a missing runaway child investigative launch. From the results, develop a “best practice” response model.
3. Gather a sample of runaway missing reports and track the investigative process from the time police receive the report to closure or until a predetermined time has expired. Identify and address gaps in service that may place the child at risk of harm.
4. Study the reasons why parents do or do not report their child as missing and find ways to address the situation. To recapitulate, these reasons were as follows: fear of losing their child tax and welfare benefit; fear of apprehension and arrest of the missing child (runaway); and fear of discovery if they abuse or traffic their children.

5. Conduct interviews with child victims to learn more about the characteristics and trends associated with child trafficking, including recruitment, isolation, transportation, and sexual exploitation.
6. Build upon the existing National Missing Children Services training syllabus to include the risks to runaway and other marginalized children/youth, and show the links to trafficking, including legislation elements, trafficking process characteristics and relationship to missing children.

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APPENDICES

Appendix A

ADM & Associates: Review of the Literature

Executive Summary

The Convention of the Rights of the Child was established in 1990 to protect children from all forms of sexual exploitation and other forms of illegal activity as related to children. The “Palermo Protocol”, more formally known as the “Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention Against Transnational Organized Crime” entered into force September 9, 2003 and specifically deals with the trafficking of persons.

In pursuing activities in the trafficking in persons, there is an urgent requirement to define the parameters around and between sexual exploitation and the trafficking in persons. Within Canada, prostitution, in a general and broad sense, is defined as trafficking, yet it is not clear from the literature that this is the intended purpose on the international scene. A clearer definition and better understanding of trafficking in persons is required.

Many nations have focused on the plight of and trafficking of persons. Causes that have been proposed include war, global economy, high rates of poverty, social isolation, home environment, schooling, parenting methods, rural housing, organized crime, gangs, and the like. Yet, Canadians and their officials find themselves continually looking for the ‘magic, yet all inclusive cause’. Since data sources and figures, which will reliably enumerate the validity of, or the extent of, the Canadian trafficking situation are almost non-existent. Many uncertainties continue to exist.

Several authors have made a direct link between children trafficked for the purpose of sexual exploitation in Canada and those children reported as missing to the police. There is compelling findings {evidence} which indicate that there is a close relationship between a child running away from home, and abuse and sexual exploitation while living at home. This is particularly true for aboriginal communities. The simple linear expression relating to the activities of abusing, running, recruiting, pimping, substance abusing, sexually exploiting and trafficking is materializing in Canada. It is not well understood however, in terms of its relationship to organized domestic trafficking and child sexual exploitation. This literature review revealed that more extensive examination of the issue is required.

Many advocates claim that “happy children do not run”. Yet, for some reason National Missing Children Services annual Reference Reports state that there are an estimated 55,000 transactions involving children who run away each year most often from their Canadian homes. They run away because they have very little choice. They live on the streets and attach themselves to a street-based family of children who have experienced similar circumstances. Once there, they soon realize they stand alone. If they return home, they must deal with or accept a situation, which is often characterized by abuse and dysfunction. Such desertion and isolation as well as peer pressure steer them toward substance abuse, willing pimps and other unscrupulous individuals who are willing to use them as a means of illegal income and personal ego enhancement.

It still remains an issue that law enforcement agencies are reluctant to act quickly on the initial missing runaway report. When they hesitate, they place children at risk of child and other abuses, many of which occur in their home. Fortunately, these abuses are covered by the Canadian Criminal Code and other related legislation and, are therefore, illegal. Why then are these children not able to return home? It is postulated that the abused and neglected rights of children are simply being ignored when authorities hesitate to fully investigate reports of missing runaway children. Fortunately, most of these children return home unmolested and unharmed while on the street, without the aid of police intervention but it is unknown if they choose to endure their situation rather than remain missing or live on the street.

To assist the police with identifying those children who have been violated at home, there is an immediate need to develop a screening tool to identify children and other apparent victims of abuse by parents and other care-givers. This screening tool would be used by joint police and non-police teams consisting of social, medical and other community personnel. It is also important to revise and/or develop reflective police investigative procedures and police which elevate the importance of runaway missing children incidents to a priority level.

Additionally, it is increasingly imperative that Canada develop stringent enumerating tools, which allows for the reporting and analysis of all incidents of trafficking in persons. These mechanisms would extend beyond the official governmental scope of activity and include government and non-government agency involvement.

Additionally, police organizations must continue to be aggressive in their pursuit of the trafficking in person’s investigations, and particularly those child victims transported internationally. In summary, it appropriate to sum up on the thoughts of Martin Luther King Jr. when he stated:

“An injustice anywhere is a threat to justice everywhere ... whatever affects one directly, affects all indirectly”.

Appendix B

ADM & Associates: Review of the Literature: Historic Dates

Several important historic dates on protecting the Rights of the Child, and Eliminating Violence Against Women are listed as follows:

- 1930 ILO Convention No. 29 concerning Forced or Compulsory Labour.
- 1948 Universal Declaration of Human Rights by Resolution 44/25.
- 1949 Convention for the Suppression of the Traffic in Person and of the Exploitation of the Prostitution of Others.
- 1979 Convention on the Elimination of all Forms of Discrimination against Women.
- 1989 Convention on the Rights of the Child.
- 1990 World Declaration on the Survival, Protection and Development of Children and its Plan of Action.
- 1992 Programme of Action of the United Nations Commission on Human Rights for the Prevention of the Sale of Children, Child Prostitution and Child Pornography.
- 1993 Vienna Declaration and Programme of Action of the World Conference on Human Rights.
- 1993 United Nations Declaration on the Elimination of Violence against Women.
- 1995 Beijing Declaration and Platform for Action of the Fourth World Conference on Women.
- 1996 Programme of Action of the United Nations Commission on Human Rights for the Prevention of the Traffic in Persons and the Exploitation of the Prostitution of Others.
- 1996 World Congress Against the Commercial Sexual Exploitation of Children.
- 2003 Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, 'Supplementing the UN Convention Against Transnational Organized Crime' under resolution 55/25.¹⁰⁶

¹⁰⁶ Angus F. Dalley. *Review of the Literature: Determining the Nature and Scope of Domestic Trafficking of Children*, National Missing Children Services Working Paper, Ottawa, Ontario: ADM & Associates, 2008.

Appendix C

Canadian Missing Children Reports Summary

CPIC Year-end Transaction Reports for 2009

Frequency by Category and by Year Reported Missing

Profile	Kidnap	PA	Run	Unknown	Acc	Wander	Other	Total
2009	50	237	35,768	11,757	25	432	2,223	50,492
2008	56	300	40,289	12,441	37	560	2,419	56,102
2007	56	285	46,189	11,216	33	576	2,227	60,582
2006	46	326	46,728	10,761	24	567	2,009	60,461
2005	30	349	51,280	12,079	45	704	2,061	66,548
2004	31	332	52,280	11,373	27	671	2,552	67,266
2003	39	358	53,459	10,922	21	805	2,205	67,809
2002	35	429	52,390	10,994	38	594	2,052	66,532
2001	48	387	53,434	10,364	49	742	1,990	66,994
2000	42	416	50,633	10,031	35	597	1,958	63,712
1999	52	358	47,585	9,884	38	496	1,947	60,360
1998	42	426	48,388	10,254	28	623	2,326	62,087
1997	60	426	45,527	9,404	37	506	2,138	58,098
1996	45	409	43,717	9,181	34	822	1,914	56,122
1995	68	354	43,709	9,039	35	720	1,824	55,749

Kidnap= kidnapping/stranger abduction, PA=parental abduction, Run=runaways, Acc= accident, Wander =Wandered Off

Source: CPIC annual transaction report 2009, M.L.Dalley. and, on line at www.ourmissingchildren.gc.ca

Appendix D

Definitions

Runaway Children who are under 18 years of age, who have run away from home or substitute home care (foster home, group home, Children's Aid Society or other homes, including shelters). The cause of running may include a previous history of running away or a particular circumstance, which lead to the subject's disappearance (Canadian Police Information Centre (CPIC) manual definition).

Child A child is any person under 18 years of age.

Trafficking See Legal Framework Section of this report, page 21.

Street-based prostitution Street-based prostitution includes children/youth standing or walking outside (whether voluntarily or coerced) to attract clients for the purpose of prostitution as well as those working inside from trick pads, which are individual residences commonly used for prostitution.

Trick Pads Indoor places where children/ youth serve clients by participating in sexual acts for favours.

Pimp Term used to describe a person who controls a child/youth for sexual exploitation purposes.

Grooming Places where children learn to sell sex for money, such as a private situation, a dance club or other situation, designed to lower the victim's inhibitions and ensure compliance.

Gang bang This term describes sex with multiple members of a gang. This term also describes gang rape or sexual assault.

Stockholm syndrome Victim assumes the role and sympathizes with his/her captors.

Stuff This term refers to things children/youth want, such as clothing, cigarettes, make up, sneakers, shoes. They trade or sell sex to obtain them or the money to buy them.

Appendix E

Limitations

The research was limited to certain Canadian cities and a few towns. After consultations with professionals, and based upon the project managers experience working with files on the issue, twenty sites were selected for interviews with authorities and professionals.

Some police and service agencies agreed to the interview while others did not. For the most part, the majority of the agencies were agreeable.

The quality of research findings was dependent upon the interviewing skills of the researchers. All researchers hired were skilled in person-to-person communication, based upon qualifications and experience.

The interview questions were developed and used as guidelines so some bias may have occurred in the questioning process. However, all researchers were encouraged to ask all the pre-prepared written questions, and encouraged to find as much as possible about the circumstances related to the research objectives and goals. Nonetheless, circumstances and time restraints affected the responses from time to time.

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