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contre la traite des personnes

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DURHAM COMMUNITY LEGAL CLINIC
PROJECT RECOVER
JUSTICE FOR CHILDREN AND YOUTH

The Chair (Mr. Daryl Kramp): We have three presentations. We have the Durham Community Legal Clinic: Omar Ha-Redeye, executive director, and Samantha Iantomasi, law student. We also have Project Recover: Richard Dunwoody, executive director. And we have Justice for Children and Youth: Mary Birdsell, executive director, and Jane Stewart, staff lawyer.

You will be allowed up to seven minutes for each presentation, and then questions will take place after that.

We will start immediately with the Durham Community Legal Clinic. You have seven minutes.

Mr. Omar Ha-Redeye: Good afternoon. My name is Omar Ha-Redeye. I'm a lawyer and the executive director of the Durham Community Legal Clinic. Our clinic focuses on advocacy, legal services, education and law reform on behalf of low-income, vulnerable and marginalized populations.

It's quite difficult to speak of a more vulnerable and marginalized population than those who are the victims of human trafficking, especially when these victims are children who are being sexually exploited. For this reason, we recognize and support the need for law enforcement to have the tools necessary to address this social ill.

The efforts behind this bill can be linked to the advocacy of many community-based organizations, going back to at least 2016, when the province launched the anti-human trafficking coordination office.

Our clinic is situated in Durham region, which is traversed by the 401 corridor, notorious for sex trafficking. We have seen how the Durham Regional Police Service

trafficking unit has effectively worked in our community in conjunction with social workers to provide empathetic, non-judgmental and compassionate interventions for the victims of sex trafficking. Not every police service in Ontario or every police officer in our region necessarily operates in this way, so it is important to contemplate also about how this bill might be implemented.

We are encouraged by many of the principles found in Bill 251, especially under section 5 of the Anti-Human Trafficking Strategy Act, 2021. It refers to ensuring that a human rights-based, survivor-centred, trauma-informed approach is used and recognizes our collective responsibility and intersectional and cultural responses. However, these principles also include a focus on prevention and basing decisions on survivors' experiences and evidence. We find that many of these principles potentially are in conflict with the possible implementation of the act.

Bill 251 presumes that human trafficking can be effectively addressed through an emphasis on law enforcement. We know that over 90% of human trafficking in Ontario is domestic in origin, but law enforcement is historically focused in a disproportionate manner on immigrants, newcomers and racialized minorities. This approach exacerbates the over-policing of marginalized communities and can perpetuate paternalistic approaches and stereotypes towards consensual sex work. The social stigma around consensual sex work is one of the greatest barriers to identifying and addressing patterns of exploitation that can be found within these communities.

Our clinic assisted many survivors of human trafficking, in particular through the Criminal Injuries Compensation Board, which was disbanded in 2019. Much of these funds were transitioned to law enforcement-related agencies and the expanded VQRP+ program.

What Ontario's Anti-Human Trafficking Strategy of 2020-25 effectively does is continue the successes of the 2016 strategy, but does not emphasize enough that the solutions to human trafficking are achieved through prioritization of funding of youth-in-transition workers, specialized human trafficking victim service workers and community-based programs. Without seeing how Bill 251 will allocate funding, it will be challenging for us to speculate whether these efforts will indeed be a success.

The solution to human trafficking is not through state surveillance and policing—but to focus on the root causes of human trafficking, which include poverty and trauma.

I will now share my time with Samantha Iantomasi, a Durham resident and volunteer with our clinic, who recently completed her first year at the University of Ottawa faculty of law.

The Chair (Mr. Daryl Kramp): You have three minutes.

Ms. Samantha Iantomasi: My name is Samantha Iantomasi. I would like to focus on the importance of ensuring that moralistic and stereotypical views of sex work do not motivate and animate the efforts behind Bill 251 in Ontario's Anti-Human Trafficking Strategy.

I am pleased to see that my local MPP Lindsey Park is here today to hear about this very important issue.

In 2013, the Supreme Court of Canada heard a case that this committee will be familiar with, *Canada v. Bedford*. Chief Justice McLachlin began the judgment in *Bedford* by emphasizing that it is not a crime in Canada to sell sex for money.

Justice Himel, who decided the Ontario Superior Court decision in *Bedford*, heard considerable expert evidence about the stereotypes and misperceptions of sex work in Canada. One of the main assumptions made by those without lived experiences or community-based expertise in these areas is that the sex worker is a victim who turns to this work in desperation. The experts in *Bedford* challenged these stereotypes by highlighting that sex work is often a better option than the other available opportunities, such as unskilled labour.

Consensual sex work is a function of poverty and the lack of appropriate funding towards community-based resources.

In itself, sex work should not be seen as a moral or personal failing; in doing so, it further alienates members of this community in a manner that obscures and prevents society from addressing the pernicious ill of human trafficking.

Thank you for this opportunity to provide these submissions. We will draw further on the experiences of our community in the responses to any questions.

The Chair (Mr. Daryl Kramp): Thank you very much, Samantha.

We will now go to our next delegation, Project Recover. Richard Dunwoody, you have seven minutes.

Mr. Richard Dunwoody: Thank you, Mr. Chair. My name is Richard Dunwoody. I'm the executive director of Project Recover. Project Recover is a not-for-profit, survivor-led initiative. Supported by a volunteer network of former and existing financial services industry executives, Project Recover neither charges fees, solicits donations nor accepts funding, so as to provide complete transparency to all stakeholders.

Members of this committee should note that, over the last year, I have supported a survivor of human trafficking in each of your ridings.

Survivors post-exploitation face forced repayment of fraudulent government debt arising from the schemes and control of their trafficker.

My ask today is to incorporate motion 131 tabled by MPP Chris Glover into Bill 251.

Allow me to paint a picture: Your daughter or granddaughter going to university or college has a new friend. They go shopping together. They cook. They share stories and personal challenges. At some point, your daughter or granddaughter meets their new friend's boyfriend. One evening, completely innocuous, your daughter or granddaughter accepts a ride home from her friend and new boyfriend. And there it is: Your daughter or granddaughter is now being trafficked. Her friend's name is not what it is, and her new boyfriend—they were together at the start of this scheme.

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Technology makes our lives simple. We can apply to attend a college or university online. Online, we can apply

for a student loan; in fact, anyone who has your information can do this for you. This is how traffickers are so easily able to obtain thousands of dollars through the Ontario student loan program using their victim's identity.

It's not just student loans. Trafficked by gang members—they're chauffeurs, driving their trafficker around. Why would the trafficker pay for insurance on the car? Pulled over by law enforcement, that victim now faces a \$4,000 fine.

There are too many other fines they face, so I won't explain all of them during this presentation.

They're trafficked for years, and the exploitation ends—survivors have their tax returns and government benefits seized for payment of these fraudulent debts. Wanting to move forward with their lives and complete their education, they are prevented from accessing student loans. Living on ODSP, Ontario Works, unable to just get by, every phone call for repayment of these fraudulent debts is revictimization of the survivor, the continuation of their exploitation.

Over the last year, I've had an opportunity to meet with a number of survivors and their local MPPs. In raising this issue, the following are comments survivors have directly heard from your colleagues: in one case, "I'm all for giving our youth a second chance. They shouldn't be held back from a mistake they made"; in response to not being able to access student loan funding to enter a new program they want, "Maybe you should consider doing something else with your life"; in posing a solution to access student loan funding, "All you have to do is pay back the delinquent portion of your debt to access funding"—let me rephrase that: "All you have to do is pay back a portion of fraudulent debt."

As to why the government cannot provide survivors relief, one MPP suggested, "It is not in our budget." The total cost of trafficking a victim annually is \$110,000. The HST of this is \$14,000, the amount the federal and provincial government earn for each year a victim is trafficked. Take a second to think, what do these young people have to do to earn that \$14,000? I'll tell you, it wasn't pouring soda drinks at a fast-food place.

While survivors face revictimization after their exploitation, what about traffickers? In one case I have knowledge of, the individual had to complete a diversion program and make a \$500 donation to a women's shelter, and the charges were dropped. In another, the trafficker received two months in jail. There is currently a warrant for his arrest on attempted murder.

In my advocacy, since November 2019, I've established a process with all major Canadian creditors, with the exception of two. I bring these cases of fraudulent debt involving survivors to them for relief and removal of their liability.

The very first survivor I worked with—

The Chair (Mr. Daryl Kramp): One minute left.

Mr. Richard Dunwoody: —was able to complete her education during the pandemic, with paid employment, and last month, qualified for a mortgage—25 years old. Since September 2020, I've been personally funding the

tuition costs of survivors. On Monday, one of them advised me that their last per-grade average was 94%. There are more that we need to get back in the classroom.

Bill 251, in many aspects, is yet another step forward. Additional funding from the government announced last year is commendable. But both fall short in providing direct support to survivors.

My request today: There are no funding requirements. Adopting motion 131 of Bill 251 only removes the liability for survivors for a debt they do not owe and that the government has no claim to, saving money—

The Chair (Mr. Daryl Kramp): Thank you, sir. Mr. Dunwoody, your time is now over.

We will now go to our third presenter, Justice for Children and Youth, Mary Birdsell and Jane Stewart. You have the floor. Seven minutes, please.

Ms. Mary Birdsell: Thank you very much. My name is Mary Birdsell. I'm the executive director and a lawyer at Justice for Children and Youth. I'm here with my colleague, who is also a lawyer, Jane Stewart, in our office. We've provided written submissions to the honourable committee, and I hope that you will have the opportunity to review them, as they provide more detailed analysis regarding our concerns. We deeply appreciate the opportunity to speak with you today.

Justice for Children and Youth is a specialty legal clinic and a child and youth rights organization. We provide legal services, public legal education, community development and engage in test case litigation on child and youth rights issues. We assist young people across Ontario on a wide range of legal issues. Our clients typically have multiple ways in which they are vulnerable and have complex personal, social and legal needs.

In the context of today, I want to let you know that most of our clients are involved with children's aid societies. Many of our clients are homeless, unstably housed or living independently and separate from a typical family situation.

We are here because we work on the front lines providing services to children, teenagers and young people. In particular, we routinely assist young people who experience sexual violence, sexual exploitation and sex trafficking. We provide trauma-informed, developmentally appropriate legal services. We provide service to the whole child. We provide service attending to their legal needs as a part of their individual social and legal context. As lawyers, with relationships that include legal privilege and significant confidentiality protections, we are often uniquely placed to hear about our clients' most private concerns, without any fear that we will be acting without their consent.

I want to turn to Bill 251 and let you know that we are particularly concerned with schedule 3 and the proposed changes to the Child, Youth and Family Services Act. We applaud this government for being concerned about sexual exploitation and for some of their investments in children's mental health. I think we can all deeply appreciate that sexual exploitation, and in particular sex trafficking, is a complex problem and it requires nuanced and complex

responses. We're very happy to see that the proposed amendments in section 1 of schedule 3 include sexual exploitation as a result of sex trafficking and the risk of that as a ground of protection under the CYFSA. We think this is a very important addition to the CYFSA, and we believe it will enhance the access to services for 16- and 17-year-olds in particular. It's an important recognition of the very complex vulnerability that 16- and 17-year-olds involved in sex trafficking may experience.

Having said that, moving on to section 2 of schedule 3, we implore you to reconsider the implementation of this section. It creates an unprecedented and extraordinary power to apprehend and detain victims of sex trafficking. We emphatically believe that enacting a provision that allows the apprehension and detention—the arrest, basically—of 16- and 17-year-olds for 12 hours will not help to alleviate the harms of sex trafficking, and we are in fact sure that it will put children at a greater risk of harm, as they will go further underground to avoid this intrusion.

Our written submissions articulate our concerns with respect to section 2 in some detail. I want to just outline three of those essential concerns for you today, and I hope that we'll have some time to answer any questions you might have.

The first reason is that we believe it's contrary to the charter and that it's vulnerable to being offside section 7 and section 15 of the charter with respect to 16- and 17-year-olds.

More importantly, possibly, it's inconsistent or not consistent with children's rights, as are required by the CYFSA. It's not human-rights-respecting; it's not consistent with the UN Convention on the Rights of the Child or the many articulations of how we should implement children's rights made by the United Nations Committee on the Rights of the Child, international experts who spend a tremendous amount of time and energy looking at appropriate, rights-respecting approaches to deal with not just small children, but also teenagers.

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Third, and perhaps most important, the people who this legislation seeks to help, 16- and 17-year-olds who are victims of sexual violence and sex trafficking, will experience the detention provided for by this section as an assault and a betrayal, and it may make them less willing, less able and less involved with the support services that might be available to them. Additionally, the 12-hour detention that's provided for in the proposed amendment purports to be for the purpose of allowing police and child welfare agencies to provide young people with access to services or information about services. In our submission, information about available services is not the root of the problem, and providing this information and promoting young people's connection to these kinds of supports and services does not require their detention.

To be very clear, daily we see the harms of sex trafficking on 16- and 17-year-olds. We know very well the vulnerabilities and the circumstances that put children at risk. And we are very aware that 16- and 17-year-olds are

not the youngest people who are harmed by sex trafficking; certainly, those younger are also at real risk.

Like you, we strive in earnest to make our homes, our streets and our communities safer for children and youth.

We know that teenagers are unique people. They are children with adult aspirations.

The Chair (Mr. Daryl Kramp): You have one minute left.

Ms. Mary Birdsell: Thank you.

But, in fact, teenagers are wise, they are knowledgeable and they are savvy, and they are dependent on adults at the same time to access supports, services and other things, including financial support and love. My reference to them being wise is really in the sense that they know what their own experiences are, and they know what they need to have more healthy, productive and safe lives. We need to go with their self-identified needs, to encourage them to build healthy and trusting relationships with those of us who are available to offer them services and supports, and a detention provision will only seek to undermine those possibilities.

Teenagers are very capable, and they are acutely aware of their own dignity and personal agency. As we all do, teenagers react negatively to affronts to their dignity and agency. We ask that—

The Chair (Mr. Daryl Kramp): Thank you very much. Your time is expired now.

We will now go to our rounds of questioning. We will start off for seven and a half minutes with the official opposition, please. Mr. Glover, you have seven and a half minutes, sir.

Mr. Chris Glover: I want to thank all of the presenters for being here, for your advocacy work, and for all of the support that you've provided to survivors of sex trafficking over the years.

I'm going to start with my questions for Richard. Richard, you've been talking about financial exploitation—usually, it's the sexual exploitation of people who have been trafficked, but you're talking about the financial exploitation. You're saying that even for survivors who manage to get out, the government continues to persecute survivors of trafficking—to pay for fraudulently incurred OSAP debts and government fines. Is that an accurate assessment of what you're saying?

Mr. Richard Dunwoody: Yes, that's an accurate assessment.

Let me quickly state that my background of 30 years is in the banking sector, and when I first got involved in this issue, I had no idea about the connection between the intersection of financial debt and human trafficking. I don't fault anybody, even those colleagues of mine who I've worked with, on their lack of knowledge of the connection to it.

Right now, with the debt that any survivor faces, the larger portion of debt is government debt, both in POA fines and student loans. I've managed to remove their debt from the credit and financial sector; I can't get their debt removed from the government.

Mr. Chris Glover: So it's the government that's being stubborn? The banks and the collection agencies have

been working with you to get rid of the debts that are incurred or that are owed by these survivors, but it's the government that hasn't been listening. Is that accurate?

Mr. Richard Dunwoody: Collection agencies are the biggest supporters of what I do. I reach out to them, and they immediately stop calling the survivor.

All of the banks have a process unique to each bank to bring these cases through, to provide evidence of the trafficking and fraudulent debt and have it removed.

Mr. Chris Glover: You've mentioned that there was one survivor who had an \$8,000 settlement from the victims of crime fund from the provincial government and that this was taken away by the government through the CRA. Can you talk about that situation?

Mr. Richard Dunwoody: When survivors are abducted out of university, the trafficker applies for the fraudulent loan. The minute that they cease going to school, that loan becomes due and payable and goes into default. They're trafficked for another three or four years thereafter, so that debt continues to accumulate.

When the criminal trial process was over, the trafficker was convicted, and she went through the victim compensation fund and was awarded \$8,000. That was seized by the CRA.

Mr. Chris Glover: I just want to be clear here: You're asking the government to accept an amendment to this legislation that would set up a system to forgive government fines and OSAP debts that are owed by survivors of trafficking. Is that accurate?

Mr. Richard Dunwoody: That is exactly what I'm seeking.

Mr. Chris Glover: The other thing that I would just like to emphasize here is that this is the opportunity to do it. The legislation is open through this bill on human trafficking, and if it's ever going to happen, now is the opportunity. If this opportunity is missed, then this persecution could continue for years.

Thank you so much for being here, Richard. Thank you for all your advocacy and your support of survivors of human trafficking.

I want to ask a question of Omar—and it can be Omar or Samantha who answers this question. You were talking about the intersection between poverty and human trafficking—which is one of the root causes. Can you expand on that a little bit?

Mr. Omar Ha-Redeye: Certainly. It's good to see you again, MPP Glover, as a former constituent of yours.

I think, as we alluded to, there are a lot of misconceptions about sex work and how people end up in that type of work. It is not necessarily out of desperation. It is because of the lack of alternate opportunities, and dozens of dozens of pages were presented to the court in the Bedford case in regard to that.

When we talk about, for example, increasing training for people who are looking for jobs, increasing Ontario Works and ODSP amounts, when we talk about the residential evictions that are happening en masse—all of these collectively lead to a culture of poverty and a lack of support for community members that often make them

say, "Well, it doesn't make sense to do what society said to do, get a degree, get a job, all that type of stuff, because there are alternatives that give me quicker money."

We recognize that there is an overlap between consensual sex work and the potential exploitation that occurs in this context.

We have obviously spoken to community members about this. They're reluctant to give their names, given the sensitivities around this. They pointed to Valerie Scott, who was one of the parties in Bedford. I spoke to her yesterday. I think it's important to have her words on the record as it relates to this. She said, "Sex workers are over-policed and underserved. This legislation will cause catastrophic harm. This legislation allows overt and constant surveillance." That's not going to encourage individuals who are in this lifestyle to, let's say, find other alternatives.

She continues—and the wording is strong, but it's her words: "This legislation will cause catastrophic harm to sex workers but it is profitable for the religious fundamentalists and carceral feminists."

If we are going back to the principles that are there in this legislation in talking about the experience of survivors—

The Chair (Mr. Daryl Kramp): One minute left.

Mr. Omar Ha-Redeye: —and using the evidence, the evidence does not substantiate using a law enforcement approach.

I am encouraged by MPP Lorne Coe's comments earlier today. He's one of our MPPs from Whitby. He said that there was ongoing consultation and that that consultation will continue through the implementation. I think that's what we're really going to look for.

It has been a difficult time in the pandemic. Many people have said this pandemic didn't necessarily create the vulnerabilities, but it perhaps highlighted those vulnerabilities that were already there in society. That's an opportunity for all of us, irrespective of whatever the political affiliation may be, to recognize that we need to invest in communities and build stronger social supports. That's going to be more important than ever after the pandemic.

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Mr. Chris Glover: Right, and if we're—

The Chair (Mr. Daryl Kramp): Thank you very much. Your time has expired. You can follow up in the next round.

We will now go to the independent member for four and a half minutes, please. Ms. Collard.

M^{me} Lucille Collard: Thank you to all the presenters. I'm glad you could make it to present before us today and share your perspectives and your insightful information. I do appreciate that.

I'm not an expert in this area. I'm just a mother of four children—three of them are girls in the ages of what we see being mostly the victims—and I'm really, really concerned about that issue. I think that human trafficking is real. I was a school board trustee and I heard about stories when I was trustee.

What we've heard today are some positions to the effect that we don't need this bill because the Criminal Code already covers the various offences that would occur under human trafficking, and that this bill—I do agree that more enforcement certainly has the potential of negative impacts on sex workers and already racialized people, I do get that. But what do you say to that argument that the bill is not needed, that the Criminal Code is already good enough?

Jane and Mary, if you want to pitch in, maybe, and anyone else after.

Ms. Jane Stewart: Well, I think the positive aspect of this bill is that it does draw attention to the need for recognition of sex trafficking and sexual exploitation as being independent grounds of concern and grounds of protection under the Child, Youth and Family Services Act. It certainly creates scope for child welfare agencies and service providers to recognize that and to take appropriate steps to provide services to young people who may be engaged in sexual exploitation.

The CYFSA does, in fact, like the Criminal Code, address provision of services to victims under the Child, Youth and Family Services Act. There are provisions for 16- and 17-year-olds to access services through child welfare agencies which are already in existence under the act. So the additional power to apprehend and to detain young people is really an unnecessary and, in fact, harmful addition to the bill. It creates a situation where young people may be forcibly removed from situations—and decisions made about them without consideration of their voice, their experience, their views and the services that would be most meaningful to them, and instead creates an atmosphere, potentially, of fear, coercion and trauma, all of which are going to be inimical to the ability of child welfare agencies to offer services to these vulnerable young people.

M^{me} Lucille Collard: Mary, did you want to add something?

Ms. Mary Birdsell: I think Jane has covered it. Our point, put in the most succinct, casual terms, is that it really blames the victim. Here you are, you're looking at a young person who is being victimized, and you arrest them for it instead of doing something that would be more supportive.

I think your question actually is broader than this as well, and perhaps others would like to—

The Chair (Mr. Daryl Kramp): One minute left.

M^{me} Lucille Collard: Yes, thank you.

Mr. Dunwoody, would you be able to speak to the reality you encounter on the ground? You're in the business of helping those victims. So how real is it? We've been told that maybe the numbers were inflated, that there's not that much human trafficking happening.

Mr. Richard Dunwoody: Let me give you the numbers in Ontario. I've been doing this since January 2020. I've probably worked with about 10 advocacy agencies. I have 167 cases that I've worked on. I've had more in the last three months of this year than I did all of last year. Certainly, it's concerning.

One of the provisions I think that I should stipulate in the numbers that I see is that some victims of trafficking

don't want to acknowledge they were trafficked, so they identify as a survivor of—

The Chair (Mr. Daryl Kramp): Thank you very much, Mr. Dunwoody. The time has expired now. We can certainly go back in the next round of questioning and have you follow up on the response on that.

We will now go to the government for seven and a half minutes, please. Ms. Hogarth.

Ms. Christine Hogarth: Mr. Dunwoody, did you want to finish your statement? It is an important comment to get on the record—about the amount of trafficking that's out there.

Mr. Richard Dunwoody: Thank you. Some survivors don't want to identify as being trafficked, so they identify as survivors of domestic violence. However, when I look at the transactional data set, which is what I do, all the credit card statements, cellphone records etc., I can identify that they were trafficked.

Ms. Christine Hogarth: Thank you very much.

First of all, I just would like to thank everybody for the work you do. Fighting human trafficking takes co-operation and collaboration across all sectors, so I want to thank you all for your work. Today has been quite an emotional day for all of us. Some of us are moms, stepmoms or aunts, and it's tough for us to be here all day and hear that. So I appreciate the work that you do to help victims and our survivors. I think that's what we need to do—focus on our survivors and how they move on from this heinous crime that they've been put into.

We've had some confusion today, talking about the difference between a sex worker and somebody who is human-trafficked—and there is a difference. I'm going to start with Omar and Sandra. Is there something in this bill that is missing, that is connecting the two? When we're talking about human trafficking, we're talking about young children; we're talking about people who are victims; we're talking about people who don't want to be in this, so they're not choosing this lifestyle. They are victims, and many are as young as 13 years of age. Is there something that you see missing in this bill that others may have caught that we can look at?

Mr. Omar Ha-Redeye: As we have stated before, there is an overlap between the two. In fact, this is part of the challenge that individuals, communities and governments around the world face. This is not a problem unique to Ontario.

One of the suggestions that came from Victim Services of Durham Region—we work very closely with them—is that there be a mandatory prevention curriculum in middle schools and high schools. That would be an example of a preventive measure. In the model that they provided to this committee earlier today, I believe—the Durham human trafficking model—there is a very strong emphasis on prevention, which we agree with. I think it really has to start with education and preventing things from happening before. For all that we like to do after the fact, the damage, in many ways, is done to those people, and we can never take that back. Where we have some challenges is with the focus in that model on prosecution. I think this is where

we have some difficulty. We know from many, many studies—if we're going to be talking about the evidence—that deterrence isn't a particularly effective strategy in terms of combatting crime, just generally. So we recognize that there needs to be a focus on that, an emphasis on that, but that shouldn't be the primary emphasis. Once again, I think this is important to do, especially in this context.

I want to provide the words of a survivor, a former sex worker who is now a lawyer. Her name is Naomi Sayers. Again, we discussed this in consultation with her. She said, "Law enforcement should not be at the centre of the solution. Instead, it should be education, supports and evidence-based systemic remedies that should be at the centre of the solution. And if police are going to be the ones responding, they must receive extensive training in differentiating between sex workers and human trafficking."

To your point, MPP Hogarth: I think this is exactly the issue that underlines here—that it is very, very challenging to do so, and if a heavy-handed approach is used towards those communities, they will, in fact, retreat further. The problems will get buried deeper underground and will actually perhaps exacerbate human trafficking even further. That is very much the concern.

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Ms. Christine Hogarth: Through some of our consultations, Ontario did update our elementary health and physical education curriculum so it now does include learning that helps protect students from human trafficking. So some of these issues we have recognized now as part of the curriculum so kids can understand this. This is not a one-time solution. We will continue to have these conversations. I think that even having these conversations today is so important. If you look maybe even five, six years ago, we weren't even talking about it.

I know that resources are extremely important. The government is investing \$307 million in anti-human trafficking, and \$96 million of that is going directly into the communities to help our communities and our community players get those supports to the victims and survivors.

You didn't talk a lot about social media—I'm not sure who to address this question to. One of the things our experts are telling us about human trafficking is that they're increasingly using social media to attract victims.

I was wondering if you could share your thoughts on the need to keep young people safe online and how young people can be protected. That's something that some of the funds through the Solicitor General's office are going to—to the police, to help look for these traffickers online. Mary?

Ms. Mary Birdsell: Well, I think that those are important concerns. In terms of providing police with funding—I think all of us, except for maybe young people themselves, are often struggling to keep up with the ways in which electronic data and information and material is out there. So I think perhaps there are some places where the police can do better investigations in terms of having more electronic resources at their disposal.

The Chair (Mr. Daryl Kramp): One minute.

Ms. Mary Birdsell: I know that sometimes investigations take a long time because they don't have the resources they need.

Having said that, in terms of protecting children and young people from potential harm and potential danger on the Internet—I don't think that's a policing issue at all. I think that if the government is going to invest resources in trying to protect children online, then the kind of education that starts very young is really important. Children are tech-savvy and media-savvy before we know it, and just having those constant and open conversations and ensuring that their communities are healthy and protective in much broader ways are, in my experience, the best ways of protecting children.

I think that young people who are exiting victimization—

The Chair (Mr. Daryl Kramp): I'm sorry, Mary; the time has expired.

Ms. Mary Birdsell: —by human trafficking and sex trafficking are really—

The Chair (Mr. Daryl Kramp): Excuse me. The time has expired. I'm very sorry. We must move on.

We will now go to the official opposition for seven and a half minutes, please. Mr. Glover.

Mr. Chris Glover: I'm only going to take part of the time because I want to pass this on to MPP Yarde. He has some questions, as well.

I want to ask a question of Mary and Jane. You were talking about the intersection of poverty—and I've got two questions, if we can get through very quickly. One is, what is the impact of the \$130-million cut to legal aid and to the victim compensation fund on the clients you serve?

Ms. Mary Birdsell: The impact of the cuts to legal aid is, in my view, extremely significant. Organizations like ours and Omar's are struggling under the weight of relentless requests for services and entirely inadequate resources to provide them. In particular, with respect to assistance to victims and people who are victimized or exploited in the sex trade, lawyers do provide some of those services and are accessed.

I think the Criminal Injuries Compensation Board is a perfect example of a system that wasn't perfect by any stretch, but was a mechanism whereby people actually could get access to meaningful services and self-identified needs. So we miss it tremendously, and the replacement is not the same. Obviously, there's still some hangover; there are still some matters going through there. We have seen people make successful Criminal Injuries Compensation Board claims in the context of sex trafficking, with fabulous results and people really able to access services that are very meaningful to them. So we miss that a lot.

Mr. Chris Glover: I'll pass it over to MPP Yarde now. Thank you, everybody, for being here.

The Chair (Mr. Daryl Kramp): Go ahead, Mr. Yarde.

Mr. Kevin Yarde: I want to thank all the individuals for coming on today with their deputations.

I just want to switch gears a little bit and talk about schedule 1 in Bill 251, which has to deal with hotels and

Airbnb. We've heard, throughout the day today, the government saying that it's not going to be problematic having police or Indigenous police going into a hotel, accessing the log and being able to get the individual's name, being able to get the individual's address.

I'm actually trying to figure out who I'm going to throw this out to, so I guess—Omar has his hand up.

In terms of dealing with human trafficking and putting a dent in it, would this be a positive thing—having the police overarching into hotels and Airbnbs—or would it drive these individuals, who are marginalized, underground?

Mr. Omar Ha-Redeye: Thank you for the question. I know MPP Glover has raised this issue in other discussions.

We're not sure whether or not this legislation will actually cover Airbnbs effectively. That's one of the phenomena that we're actually seeing in Durham region, at least, from some of the clients we've spoken to—that some of this activity has already started to move away from hotels and motels into Airbnbs or to more irregular types of arrangements.

As we said in our statement, we're not sure if this is going to be an effective strategy, but if law enforcement indicates that it is, then perhaps it may be. But judicial oversight is going to be essential. I think that is a power, regardless, that needs to be used very sparingly.

Mr. Kevin Yarde: Obviously, this government likes to use police powers wherever they can. During COVID-19, they wanted to have the police stopping people on the streets and in their vehicles, asking them where they were going, but of course, there was a bit of backlash—rightfully so—from the police associations right across the country.

In terms of racial profiling, which is a big concern—and a lot of people have been saying that throughout the day today. I personally have been carded, so I know what it's like to be racially profiled. With sex workers in racialized communities, Black communities, Asian communities, Indigenous communities, as well as the trans community, how will this bill continue to make marginalized communities and sex workers—continue to make it precarious? And how will it harm these communities—having the police involved in dealing with racial profiling? Omar?

Mr. Omar Ha-Redeye: MPP Yarde, it was probably in this committee, maybe three years ago, where we had a discussion about “carding”—I don't like to use that word, personally. But yes, I probably had higher-than-average police interactions.

I don't think that particular relationship between racialized communities and law enforcement is going to necessarily be helped if this legislation is used in a manner that is heavy-handed and does continue to disproportionately focus on those communities.

So it's reiterating our comments, which are—the solutions here are community-building; it's building trust, it's building bridges, and it's tying individuals to community resources and better opportunities, and not a focus on law enforcement.

What I will say is that despite that, perhaps, mishap about the police powers that recently happened, the positive side is that the government was responsive to the concerns and very quickly changed that position. I think that's also a story that's worth emphasizing. Good governance, in a democracy, is a dialogue, and this government has been responsive to some of those concerns.

Mr. Kevin Yarde: I'm not sure how much time I have left, Chair, but I have one more question.

The Chair (Mr. Daryl Kramp): One minute, Mr. Yarde.

Mr. Kevin Yarde: Okay.

Another one of the concerns that was brought forward throughout the day today is the sweeping surveillance and that police officers can enter a dwelling, if they feel that someone is at risk of being injured or being exploited, without a warrant. If the individual doesn't respond to the questions, they could face a \$50,000 fine; corporations could face a \$100,000 fine.

Refusal to answer inspectors—like I said, they don't need a warrant—what's your take on that? Who would want to answer that one?

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The Chair (Mr. Daryl Kramp): You have 20 seconds left.

Mr. Kevin Yarde: Omar, can you do that in 20?

Mr. Omar Ha-Redeye: Same response as before: All police powers should be reviewed by judicial scrutiny, and there will be a concern about how those powers are used in terms of whether or not it's going to be effective or whether it's going—

The Chair (Mr. Daryl Kramp): Thank you very kindly. The time is up now.

We will now go to the independent members for four and a half minutes. Mrs. Collard, please.

M^{me} Lucille Collard: I will just pose a question, and whoever wants to answer it, that's fine and you may. I'll chip in.

I do hear you on the lack of funding for more support services that are very essential for the victims and to prevent human trafficking from happening. I also hear you on the dangers surrounding more enforcement. Omar just alluded to judicial scrutiny, which is one suggestion,

My question is: How could this bill be improved? What is your suggestion to try to amend this bill, to make it acceptable and more effective? Mary or Jane?

Ms. Mary Birdsell: From our point of view, removing section 2 out of schedule 3 would be a very big improvement. I think the corollary to that would be to make sure that we adequately fund children's mental health services and children's aid societies in order to help them provide meaningful relationship-building services to young people who are victimized in this way.

Jane, do you want to add anything?

Ms. Jane Stewart: Yes, I would add to that the need to fund community-based services as well, so that young people are not faced with having to enter into a child welfare system or engage with law enforcement in order to access these types of services; so that they can do it in a

low-barrier, confidential, rights-respecting way that allows them to choose the services that are going to be most effective and most meaningful for them at the time that they are in a position to access them; as well as empowering children's aid societies and child welfare agencies to reach out to young people in order to inform them of the services that are available in a setting that is trust-building, in a setting that is not coercive and which appropriately takes account of their decision-making capacities and their ability for independent judgment.

M^{me} Lucille Collard: Mr. Dunwoody, did you want to propose—

Mr. Richard Dunwoody: Yes, I do. I'll just quickly echo a comment that Chris made, that this is the last opportunity for probably a long time.

I have 54 young ladies who want to get back into the classrooms in September. I can fund half of them; that's it. I am going to have to make the decision of which ones are not going to be funded. And yet, if we remove this fraud from their student loans, every one of them can get back into the classroom. These are brilliant minds. They are some of the most amazing people I've met. I've owned and operated businesses. I would hire these young people in a heartbeat.

That's where this bill is short.

M^{me} Lucille Collard: Any last advice from Omar, if there's time left?

Mr. Omar Ha-Redeye: Sure. I think I'll point to the CICB, which we referred to earlier, a flawed system—

The Chair (Mr. Daryl Kramp): A minute left.

Mr. Omar Ha-Redeye: —based on a 2007 Ontario Ombudsman report. But the strength of that system was the ability to provide cash in hand to many of these victims, who were transitioning from being sexually exploited into another type of lifestyle.

Although the VQRP+ program is improved in the sense that it gets resources to victims quicker and in a more focused manner, the non-pecuniary amounts there are not available, and so there is less financial support.

It doesn't mean that these problems are solved by money, but those resources at a very critical and crucial juncture of a victim's life can actually make a very, very significant difference.

So it's really going to be about the implementation of this act, in terms of whether or not it's going to be effective.

M^{me} Lucille Collard: I don't have any other questions. Thank you.

The Chair (Mr. Daryl Kramp): We will now go to the closing remarks from the government. Ms. Kusendova, please.

Ms. Natalia Kusendova: I'd like to thank all of our presenters today and my colleagues as well as our staff for what has been a very insightful conversation today. Some very difficult topics, controversial topics were discussed today. I'm very grateful for all of us working collaboratively on this very important issue to many, many Ontarians.

I want to start by congratulating Samantha, who is the first-year law student—from MPP Park. She's giving personal congratulations to you on completing your first year, and she says that you clearly have a very bright future. So way to go, Samantha.

I also want to say hello to Omar. You have come to present to many committees. Thank you for always being the voice of your clients and those who are vulnerable in our community. Thank you for always keeping your remarks very respectful and very insightful and for participating today.

I just want to put a few things on the record. Our anti-human trafficking strategy is a five-year strategy, and it's a result of many consultations, but it is also a result of a multi-ministerial approach.

Based on a lot of the interventions that have occurred today, I want to say that it sort of reinforces the point that we have a lot of work to do on raising awareness and educating the public, because even some of our presenters today, who are very highly educated individuals, seemed to have trouble stating on the record that human trafficking is in fact happening in Ontario. I think it speaks to the work that we have to do as a government to continue raising that awareness and working on eliminating that stigma for the public, but also for many people who are involved in helping survivors and working with sex workers as well.

This bill is a result of working through multiple ministries, and I just want to read them out to you. There are eight ministries that are involved in our anti-human trafficking strategy.

Of course, the Ministry of Children, Community and Social Services and the Ministry of the Solicitor General are the co-sponsors and co-leads of this bill.

We also have the Ministry of the Attorney General and their work on expanding restraining orders. Also, we have increased HT-specific—human trafficking-specific—prosecutors. We have actually increased their number in Ontario from six to 14. I think that's a really important change to highlight.

We also have the involvement of the Ministry of Indigenous Affairs, which speaks directly to the \$46-million investment in Indigenous-led initiatives to work collaboratively with our community partners and our Indigenous partners.

The Ministry of Education: It's really important to note that we are currently developing protocols for school boards to address some of the issues when teachers may suspect that students are being victimized. We have a uniform approach across the province of Ontario, and protocols to actually give teachers, parents and administrators in the school board system tools on what to do and how to help these students, because we heard that early intervention is so key.

We also have the Ministry of Health, which is working on training for health care professionals, such as myself, as a nurse. I've never been trained on human trafficking. Maybe there was an opportunity for me to intervene when I had a young woman come in with a certain presentation, certain symptoms. Sometimes you have that feeling that

the situation doesn't feel right, but I wasn't trained on what to do or how to intervene. So it's important that we also have the Ministry of Health participating.

The Ministry of Heritage, Sport, Tourism and Culture Industries: We talked a lot about hotels, motels, Airbnbs and their involvement. The hospitality sector is a huge partner for us in combatting the heinous crime that is human trafficking.

Finally, the Ministry of Transportation: We have some exciting initiatives happening through the Women's Trucking Federation of Canada, which is currently developing curricula to train truckers who are driving on those 400- and 401-series highways, which are the corridors where traffickers actually transport their victims—because they don't know municipal boundaries. So we are funding a project, through the Ministry of Transportation, to educate these truckers who have a role to play in helping us.

Our strategy is based on four pillars: raising awareness of the issue, protecting victims and intervening early, supporting survivors, and holding offenders accountable.

My question, which I would like to ask Omar: Is there any other ministry that you think we should involve in our very comprehensive anti-human trafficking strategy? Also, are there any amendments that you would like to see proposed to strengthen this already very good piece of legislation?

Mr. Omar Ha-Redeye: I will simply say that I will commend this government for engaging in this initiative and building on the developments of the previous government to engage in consultation, to build the bridges, to work with the opposition, and to continue to do collaboration and consultation in the years to come in terms of implementing this strategy.

I don't think I have much more to say beyond that.

Ms. Natalia Kusendova: I want to ask Samantha if you have anything to add. Your perspective is very, very valuable for us.

Ms. Samantha Iantomasi: I agree with what Omar said.

Ms. Natalia Kusendova: In the remaining time, I want to ask, Mr. Dunwoody, if you have anything more to add about this OSAP issue. It's certainly something that we will look at more closely. It's something that is concerning.

Mr. Richard Dunwoody: I'll answer your last question about the ministries involved.

When our young people are being abducted out of universities and colleges, I think the Ministry of Colleges and Universities should be somebody at the table. When we're pursuing these debts, I believe the Ministry of Finance should also be at the table in how they're approached as to the recovery of these debts.

Let me add one thing on the Ministry of Finance: Under Ontario debt regulations, most companies are able to charge a fee for the recovery of debt—except the Ontario government. So that \$4,000 debt for that speeding ticket is now \$7,000 when we add the collection agency fees to it.

Ms. Natalia Kusendova: Thank you, Mr. Dunwoody, for bringing this very important perspective forward.

We have recently announced more mental health supports for our students on campuses. I know mental health is something that was discussed, as well, throughout—so we did have a recent announcement to strengthen mental health supports on campuses. When I used to go to U of T, which is just down the street, those supports might have been fragmented, but we did strengthen that portfolio.

MPP Park, did you want to conclude?

The Chair (Mr. Daryl Kramp): I'm sorry, but the time is over. I'd love to have Ms. Park go, but we are now completed for the day.

Let me take this opportunity, as Chair of this committee, and for all of the members, to thank our guests who came and provided their thoughts and their input. Certainly, it is food for thought for all of this committee.

We will now end the committee today.

Colleagues, I will see you all tomorrow on further developments in this committee.

The committee adjourned at 1803.

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