



PACT-Ottawa

Persons Against the Crime of Trafficking in Humans
Personnes en Action Contre la Traite des Personnes

13 February 2012

Response to the Report of the Standing Senate Committee on Human Rights “The Sexual Exploitation of Children in Canada: The Need for Action”

The members of PACT-Ottawa commend the Standing Senate Committee on Human Rights (hereinafter the “Committee”) for releasing a thorough report that addresses the need for action on the issue of child sexual exploitation in Canada. PACT-Ottawa has formulated a response based upon the eight recommendations included in the report.

Recommendation 1 – Gender Based Analysis

PACT-Ottawa commends the Committee for recognizing the important role that gender plays in the sexual exploitation of children. In pursuing gender-based analysis, PACT-Ottawa would urge caution in generalizing certain behaviors as being only female or only male in order to avoid the development of exclusive policies or parameters. PACT-Ottawa agrees that it is important to investigate the ways in which girls are sexualized (p. 25), but would submit that the same recommendation should be made for young boys. The ways boys and men are sexualized may contribute substantially to the reasons why men are overwhelmingly the perpetrators of sexual exploitation and violence. PACT-Ottawa recommends further research on the ways young boys are sexualized in our culture.

Another area that should be considered is the fact that gender is not only experienced and lived by individuals but that it also shapes the relationships between individuals. Understanding that gender is not only individual but also relational may help illuminate some of the societal issues and constructions about women, girls, and femininity that put them at such an overwhelming risk to be victimized and also contribute to men being overly represented as perpetrators. PACT-Ottawa believes that it is crucial to recognize and explore the way that gendered relations contribute to child exploitation.

Recommendation 2 – Support for Aboriginal Communities

PACT-Ottawa commends the Committee for addressing the special issues faced by the Aboriginal communities in Canada and for recognizing the role that the Government of Canada has played in these. PACT-Ottawa is pleased to see that the Committee spoke with Aboriginal communities and representatives to ensure that these

communities had meaningful opportunities to discuss their needs, as well as a significant role in providing the solutions to these problems.

PACT-Ottawa agrees that further research is necessary regarding the particular needs of Aboriginal communities with respect to childhood exploitation and strongly encourages that members from Aboriginal communities conduct this research. PACT-Ottawa also agrees with the recommendation to support the preventative initiatives that are being implemented by local groups and organizations and encourages the Committee against the Sexual Exploitation of Children (CSEC) to conduct further research into sustainable funding and support for these preventative services.

Recommendation 3 – National Research

PACT-Ottawa supports the creation of a national databank on the sexual exploitation of children in Canada. PACT-Ottawa highly encourages the involvement of children and youth in the creation of this databank, and the inclusion of representatives from all communities affected by this issue, including members of Aboriginal, Lesbian, Gay, Bisexual, Transgendered, Queer and Questioning (LGBTQQ), and immigrant communities in Canada.

PACT-Ottawa strongly encourages the sharing of best practices and collaboration amongst all relevant stakeholders, and commits to encouraging PACT-Ottawa’s network to contribute to this process as well.

Recommendation 4 – A National Child Commissioner

With a view to achieving an adequate and consistent level of services for all children dealing with sexual exploitation, and in keeping with the clear need for a rights-based response (Lisa Wolff, p. 7), PACT-Ottawa wholeheartedly supports the establishment of a National Children’s Commissioner and undertakes to mobilize its networks in support of this recommendation.

PACT-Ottawa recommends the creation of a committee of multiple child advocates who would inform the work of the National Children’s Commissioner. This committee would include representatives from Aboriginal, LGBTTTQ, refugee, immigrant, anglophone and francophone communities in order to ensure adequate representation for the needs of all children in Canada.

Recommendation 5 – Child Victims and the Criminal Justice System

The vulnerabilities of children who are at risk of sexual exploitation: “low self-esteem, cultural and familial fragmentation, lack of life skills and education, substance abuse, poverty, physical, sexual and emotional abuse and racism,” (NWAC, p. 31) parallel the push factors for human trafficking victims of any age. PACT-Ottawa appreciates that many of the testimonial aids introduced by *Bill C-2 -- An Act to amend the Criminal Code (protection of children and other vulnerable persons)*, can assist children who are subjected to sexual exploitation, including human trafficking. In addition, these aids may be available to a witness of any age if the judge or justice considers it “necessary to obtain a full and candid account from the witness.” As such the Government of Canada is to be commended for i) recognizing the extreme vulnerabilities of child victims – as

well as youth and adult victims – of human trafficking, and ii) accommodating these victims within the justice system. PACT-Ottawa supports the continued study of the effectiveness of such tools through the efforts of the Policy Centre for Victim Issues. (Catherine Kane, p. 50)

One weakness identified in the efforts of Canada to accommodate children who have been victims of sexual exploitation is that: “it is a big challenge to find services for any victim after a court process.” (Steve Sullivan, p. 50) PACT-Ottawa undertakes to explore collaboration with other community organizations – including existing victim services and law enforcement – on the provision of after-court care for victims of sexual exploitation.

Recommendation 6 – Services for all Canadian Children

PACT-Ottawa appreciates the commitment of the Government of Canada, in October 2010, to spend \$5.25 million over 5 years for provincial and territorial victim services, non-governmental organizations, or existing Child Advocacy Centres. PACT-Ottawa undertakes to follow up with the Government of Canada on this commitment in order to understand the progress made nationally since the announcement.

Recommendation 7 – Private Sector Cooperation

PACT-Ottawa believes that cooperation with the private sector holds strong potential for positive change. In order to meet that potential, PACT-Ottawa would urge further reflection on the role of the Government of Canada in promoting corporate social responsibility. For instance, in addressing the need for regulation to prevent child sexual exploitation, will the Government of Canada introduce clear standards to which private corporations should adhere? If so, will adherence be encouraged through incentives to self-regulate and comply with voluntary codes of conduct, or through penalties? Which agencies will be appropriate to monitor and enforce the standards? PACT-Ottawa supports funded research and the evidence-based development of effective regulatory standards for corporate social responsibility. (p. 66)

PACT-Ottawa also recommends that the Committee look into the role that the Government of Canada can play in regulating international Internet companies, such as Craigslist and Facebook, given the role of these sites in the sexual exploitation of children, including human trafficking.

Recommendation 8 – Education and Prevention

PACT-Ottawa agrees that the funding and development of preventative education programs and awareness campaigns is of great importance. PACT-Ottawa recommends that the Government of Canada work with provinces and territories to develop comprehensive sexual education programs that can help address and prevent child sexual exploitation. PACT-Ottawa encourages the inclusion of materials covering the way women and men’s sexuality is constructed, what healthy sexual relationships look like, and the nature of informed consent. PACT-Ottawa highly recommends the involvement of children and young adults in the creation of these, and all, materials for young people.

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