December 24, 2013

Dear [Redacted]

Re: Your request for access to information under Part II of the Access to Information and Protection of Privacy Act [WP/2/2013]

On November 25, 2013, Women's Policy Office received your request for access to the following information:

Details on the Sexual Exploitation Report. In particular:
- When first draft report was received by government;
- When final copy was delivered to government;
- When the report was given to the Royal Newfoundland Constabulary;
- Cost of the report; and,
- Terms of reference of the report.

I am pleased to inform you that your request for access to this information has been granted in full:
1. When first draft report was received by government – April 28, 2011
2. When final copy was delivered to government – June 3, 2011
3. When the report was given to the Royal Newfoundland Constabulary – August 10, 2011
4. Cost of the report – $54,000.00
5. Terms of reference of the report – Please see attached.

Please be advised that responsive records will be published following a 72 hour period after the response is sent electronically to you or five days in the case where records are mailed to you. It is the goal to have the responsive records posted to the Office of Public Engagement's website within one business day following the applicable period of time. Please note that requests for personal information will not be posted online.
If you have any further questions, please contact the ATIPP Coordinator at (709) 729-4934.

Sincerely,

[Signature]

Rachelle Cochrane
Deputy Minister

Attachment
Schedule A

Terms of Reference
The Sex Trade
in
Newfoundland and Labrador

The objectives for the work are to:

Primary

- Recommend policies, services, programs and co-ordination models that could be enhanced, added or changed to provide optional life-style choices, safer sex trade working conditions and/or to reduce or prevent sex trade activities in the Province;

- Ensure the situation and recommendations are provided independently for Aboriginal communities, as these communities will have culturally different circumstances and service needs;

- Ensure the recommendations are provided by gender.

Secondary

- Identify the current policies, programs and services that are available to sex trade workers;

- Provide information on the reasons and factors behind why people in Newfoundland and Labrador engage in the sex trade;

- Identify any evidence of interprovincial or international trafficking of persons for sex industry purposes.

- The Department of Justice will outline the relevant legal framework within the NL jurisdiction that law enforcement personnel work within, relating to matters of the sex trade, sex industry and trafficking for sex trade purposes;

- Ensure that provincial, federal, Aboriginal governments, community organizations, police forces and resource based companies (if appropriate) are included in the development of the work;
Definition of the Sex Trade

- For purposes of the report current sex trade activities will be defined as on the street and club activities, escort and private services, massage parlors, trafficking of persons for sex trade, trading of sex for goods and services as well as financial compensation, pornography, sexual exploitation and any other relevant activities associated with the sex industry in NL.

Methodology

- For the protection of the sex trade workers the information gathering process for this study will be done by discussing the issue with current front line delivery workers and other service providers in our communities. The reason for this methodology is to ensure for the protection of those involved in the sex trade as well as the researcher undertaking the work.

- The compilation of information from front line service providers will need to be directed by an interview guide. Once developed the guide will need to be reviewed and approved by the Women’s Policy Office and the Royal Newfoundland Constabulary.

- In undertaking the work Child Youth Family Services, the Royal Newfoundland Constabulary and/or the Royal Canadian Mounted Police will need to be contacted if there is any suspicion or evidence that children or youth are at risk due to the lifestyle choices of their care giver.

Background:

The report responds to issues raised to the Government by the Royal Newfoundland Constabulary (RNC) and the Community Youth Network outlining the need for better and coordinated provision of treatment, optional life-style choices and preventative services for the current sex trade workers in the St. John’s area.

The RNC also supports the need for improved safety for sex trade workers and the need for the prevention of the growth of the sex trade in NL.

Sex workers - whose work is legal under Canadian law - are entitled to the protection of the law including the enforcement of their security, employment and other legal rights, like those of any citizen. These workers need significant supports to provide them with options to get out of this trade.

In April 2010 Treasury Board has approved the WPO to provide grant funding to the
Community Youth network to undertake a study of the current situation and make recommendations on how to improve coordinated services for these workers.

The study will look at the situation of the sex-trade Province wide, and include remote and rural locations where resource development projects are occurring on land, and on sea, as well as any activities happening in Aboriginal communities.

The results of the report will inform the Status of Women, Aboriginal Affairs, Justice and Labor Ministries who are working in partnership with other provincial, federal and territorial jurisdictions which are raising the need to deal with and prevent the trafficking of persons for sex trade and for other labor purposes into and within Canada and within Newfoundland and Labrador.

The Province’s economic circumstances are improving, especially in the high paying oil and gas and mining industry towns. With these high incomes and improved economic circumstances there is an opportunity for economic benefits relating to the sex trade of young girls, women and others to be exploited by individuals or organized crime. This report will recognize that it is usually women or girls who are involved in the sex trade however the report is to include young boys, men or transgender people who also may be involved in the sex trade in the Province.

Many reports prepared on this topic also identify that poverty and addictions are the main impetus for individuals being involved or being vulnerable to sex trade activities. It will be important therefore to identify any links between the sex trade and issues such as a growing drug trade.

Challenges

A primary challenge in completing this work is that sex trade workers or victims of human trafficking rarely identify themselves as victims. US social workers who deal with approximately 100 human trafficking victims a year identified that it often takes two months of work with a trained therapist or social worker for a victim to understand they are a victim of a crime. This two month delay was identified as being due to factors such as:

- Psychological coercion by the trafficker
- various mental health disorders experienced by the victim, including dissociative, post traumatic stress, depressive and/or anxiety disorders, and trauma bonds with traffickers, also loosely known as "Stockholme Syndrome"

In situations where individuals do identify themselves they may not come forward for a variety of reasons, such as:

- isolation
- financial need
- addictions
fear of criminal charges
being returned to their place of origin
fear of reprisals to themselves or loved ones by traffickers
mistrust of government authorities
lack of understanding of their rights
lack of information about services offered
fear of reprisals to themselves by other sex trade workers, drug dealers etc.

Some NGO's consider all prostitution to be sex trafficking. Both sex trade and trafficking involve selling/providing sex acts, some instances of the sale/provision of sex acts in Canada may constitute human trafficking under the Canadian Law.

There is an interplay and overlap between sex trade and sex trafficking. For the purposes of this report we are primarily interested in better understanding how we can provide better coordinated service to sex trade workers and prevent its expansion as an economic way of life.

Coordination of services to sex trade workers and victims of trafficking vary greatly across provinces. British Columbia is the only Province to have a designate office on human trafficking and it reports to the Deputy Solicitor General. An Action Coalition has been formed in Alberta with Provincial departmental officials, representatives of community agencies and survivors or trafficking and the general public. In Manitoba the Human Trafficking Response Team was organized by the Salvation Army with representation of the provincial government, federal officials, law enforcement and front line community service workers. In Quebec a committee is chaired by the Minister of Justice to establish a provincial model to respond to victims needs most notably shelter, psychological intervention, and regularization of immigration if required. This model is being developed to help shelters and other stakeholders collaborate with government ministries and partners.

Non-government victim support services have been helping sex trade workers or victims of trafficking for many years. Some groups are dealing with traffic specific victim services such as the Salvation Army.

Recommended Contacts

Stakeholders and individuals that may therefore need to be contacted include:
The Department of Justice and The Department of Justice’s Ministerial Committee on Violence against Women
The Provincial Advisory Council on the Status of Women
The Women’s Center’s Located in 8 locations in the Province
Shelter’s including the Native Friendship Centre’s in NL
The Nunatsiavut Government
Innu Health Authorities
The Next Generation Guardians
Innu Governments
The Nunatsiavut Status of Women Office and Minister
The Labrador Métis Nation
The Federation of Newfoundland and Labrador Indians
The Newfoundland Aboriginal Women’s Network
The Miawpukek First Nation
Other Aboriginal Women’s Offices and Organizations
The Salvation Army
Choices for Youth
Street Reach
AIDS Committee of Newfoundland and Labrador – Needle Exchange Program
The Newfoundland and Labrador Housing Agency and their Community
Associations
Victim Services
Citizenship and Immigration Canada
The Department of Health and Community Services
The Regional Health Authorities
Front Line Health and Social Workers
Mental Health Providers
The Department of Child Youth Family Services
The Labour Relations Agency
The Department of Labrador and Aboriginal Affairs
Dr. Fran Shaver and her work, Professor and Chair Department of Sociology and
Anthropology at Concordia University
Status of Women Canada
COMPASS
The Sexual Assault and Crises Center
The 10 Violence Prevention Regional Coordinating Committees
The Port Authority
White Rose, Hibernia and Hebron Partners

Contacts with the Aboriginal government’s and organizations as well as industry
partners will need to be done in collaboration with the WPO. The WPO will assist with
contacting Provincial Departmental officials.

Various background documents will also be required to be reviewed to inform the work
including:
- 2010 Federal Provincial Territorial Status of Women Minister’s Presentation
  on Human Trafficking.
- The United Nations Report on Human Trafficking
- Human Trafficking Reference Guide for Canadian Law Enforcement
• The Salvation Army Training Manual Recognizing and Serving Victims of Human Trafficking
• House of Commons Subcommittee on Solicitation laws: Report Submitted “Safety and Security and the Well Being of Sex trade Workers”
• 2010 Children and Youth Family Services Act
• Child Care Services Act
• Youth Criminal Justice Act
• Young Person’s Offences Act
• Criminal Code of Canada

Timelines:
A draft report must be provided by February 28th, with a final report submitted by March 31st, 2011.

The Report Requirements
The report will need to identify for men, women and Aboriginal communities:

• The types of policies, services, programs and coordination models required to:
  o provide safe sex trade activities
  o assist those interested in pursuing optional life style choices
  o reduce and prevent the growth of the sex trade, and
  o assist those who wish to leave the sex trade.

• A description of the current types of sex trade activities occurring in NL including activities in urban areas, as well as in other regions on the Island and in Labrador, including Aboriginal communities.

• Regions to be covered include Western, Central, Southern, Northern and Eastern NL as well as Labrador West, Upper Lake Melville, Labrador’s north and south coast, and the Straits.

• The locations of the sex trade activities, province wide.

• The approximate age and gender of the sex trade workers.

• The place of origin of the sex trade workers.

• The identification of any evidence of human trafficking of persons for sex trade activities including places of origin within this Province, at sea, or from other places, such as, Atlantic Canada, Quebec, Ontario or elsewhere.
• The types of policies, services and program or coordination services that are currently offered to sex trade workers and victims of trafficking by community groups?

• The types of policies, services and program and coordination services that are currently offered to sex trade workers and victims of trafficking by provincial or federal departments and agencies in NL?

• The identification of what life circumstances or vulnerabilities create or are the primary risk factors associated with pursuing sex trade activities in NL, such as:
  - Addictions
  - Poverty or economic ability
  - Social and cultural exclusion due to poverty and other factors
  - Victimization
  - Belonging and self esteem issues
  - Mental health and learning disabilities
  - Lack of services
  - Involvement and linkages to other high risk activities, such as substance abuse
  - Under education
  - Lack of family support
  - Desiring a better life and facing limited economic opportunities
  - Gender
  - Age

• In Aboriginal communities the root causes of sex trade activities for young Aboriginal women and men are often identified to include survival sex or trading sex for basic living requirements such as food, housing, money. Other reasons for engaging in this activity includes:
  - Lack of awareness, acknowledgement and understanding of what sexual exploitation is.
  - Lack of housing options
  - Situations of family and relationship violence and sexual abuse
  - Parents affected by generational trauma
  - FASD
  - Poverty
  - Isolation and a need for a sense of belonging
  - Cultural racism
  - Substance abuse
  - Gaps in service provision
  - Lack of mental health support services
  - Discriminatory policies and legislation
• The types of policies, programs, services and coordination required to provide optional life style choices/supportive intervention for sex trade and trafficking activities such as:
  • Toll free lines
  • Safe housing
  • Addictions treatments
  • Access to nutritional food
  • Victim services supports
  • Survivor mentoring and leadership
  • Educational and training needs
  • Poverty reduction services
  • Violence prevention services
  • Self esteem
  • Support workers and access to on call support systems to handle complex case management

• Any other special needs to reduce prevent or reduce risks for those involved in sex trade activities associated with Aboriginal people in both urban and Aboriginal community settings.

• The location for these required services, programs including coordination services i.e. geographic location and if these services should be delivered by a community group or a government department of agency.

The Report Requirements:

The information collected will be provided to the Women's Policy Office in the format of a draft report with background information and draft recommendation relating to:

1. Understanding the Province’s sex trade and sex trafficking situation.
2. The relevant legal framework within the NL jurisdiction that law enforcement personnel work within relating to matters of the sex trade, sex industry.
3. The policies, services, programs and coordination models that currently exist to deal with current sex trade workers.
4. The current gap in these polices services and coordination models.
5. Recommendations on what services, programs and coordination models are needed to ensure that future growth in these activities are prevented.
6. The identification of who should be responsible for the implementation of the recommendations.
7. The needs and strategies that will address the situation for Aboriginal people for Aboriginal women and men in urban setting, as well as in Aboriginal communities in Newfoundland and Labrador.
8. Identify any evidence of interprovincial or international trafficking of persons for sex industry purposes.
9. Recommendations on what services or programs are needed to assist those who wish to leave the sex trade.

Communication Messages
The Minister Responsible for the Status of Women will be the public spokesperson for the project. The Minister will reiterate the following messages:

Key Messages for Minister
- Individuals in our province are involved in the sex trade; these are primarily women
- Many of these individuals have complex needs, and work and engage in risky behaviors
- Any work being done is to ultimately provide people with safe and accessible options and rehabilitation services or lifestyle changes
- For the safety of all those involved, we cannot discuss details at this time

Contacts for the Work

Heather MacLellan
Joe Smythe,
Chris Fitzgerald
Jackie Lake Kavanagh
Wanda Legge

Women's Policy Office, 729-5017
Royal Newfoundland Constabulary
Royal Canadian Mounted Police
Department of Justice
Department of Health and Community Services

Linda Ross
President of the Provincial Advisory Council on the Status of Women
Child Youth Family Services

TBD
Karen Miller
St. John's Native Friendship Center