June 19, 2015

Dear [Name],

Re: Your request for access to information under Part II of the Access to Information and Protection of Privacy Act [WP/2/2015]

On June 9, 2015, the Women’s Policy Office received your request for access to the following records:

"A copy of the 2011 report commissioned by government entitled 'It's Nobody's Mandate and Everyone's Responsibility: Sexual Exploitation and the Sex Trade in Newfoundland and Labrador'"

I am pleased to inform you that a decision has been made by the Deputy Minister for Women's Policy Office to provide access to the recommendations contained in the report as this information was released in the access to information request WP/1/2015. Please see the attached summary document. This information can also be found on page 274-278 of the following link:

Access to the remaining information contained within the report, has been refused in accordance with the following exceptions to disclosure, as specified in the Access to Information and Protection of Privacy Act (the Act), as information in the report could cause harm to individuals referenced throughout the report:

37. (1) The head of a public body may refuse to disclose to an applicant information, including personal information about the applicant, where the disclosure could reasonably be expected to

(a) threaten the safety or mental or physical health of a person other than the applicant; or

(b) interfere with public safety.

Please be advised that you may appeal this decision and ask the Information and Privacy Commissioner to review the decision to provide partial access to the requested information, as set out in section 42 of the Act (a copy of this section of the Act has been enclosed for your reference). A request to the Commissioner must be made in writing within 15 business days of the date of this letter or within a longer period that may be allowed by the Commissioner. Your appeal should identify your concerns with the
request and why you are submitting the appeal.

The address and contact information of the Information and Privacy Commissioner is as follows:

Office of the Information and Privacy Commissioner
2 Canada Drive
P. O. Box 13004, Stn. A
St. John's, NL A1B 3V8

Telephone: (709) 729-6309
Toll-Free: 1-877-729-6309
Facsimile: (709) 729-6500

You may also appeal directly to the Supreme Court Trial Division within 15 business days after you receive the decision of the public body, pursuant to section 52 of the Act (a copy of this section of the Act has been enclosed for your reference).

Please be advised that responsive records will be published following a 72 hour period after the response is sent electronically to you or five business 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 feel free to contact me by telephone at 729-3867 or by email at nancyallen@gov.nl.ca.

Sincerely,

Nancy Allen
ATIPP Coordinator

Enclosures
Access or correction complaint

42.(1) A person who makes a request under this Act for access to a record or for correction of personal information may file a complaint with the commissioner respecting a decision, act or failure to act of the head of the public body that relates to the request.

(2) A complaint under subsection (1) shall be filed in writing not later than 15 business days

(a) after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or

(b) after the date the head of the public body is considered to have refused the request under subsection 16(2).

(3) A third party informed under section 19 of a decision of the head of a public body to grant access to a record or part of a record in response to a request may file a complaint with the commissioner respecting that decision.

(4) A complaint under subsection (3) shall be filed in writing not later than 15 business days after the third party is informed of the decision of the head of the public body.

(5) The commissioner may allow a longer time period for the filing of a complaint under this section.

(6) A person or third party who has appealed directly to the Trial Division under subsection 52(1) or 53(1) shall not file a complaint with the commissioner.

(7) The commissioner shall refuse to investigate a complaint where an appeal has been commenced in the Trial Division.

(8) A complaint shall not be filed under this section with respect to

(a) a request that is disregarded under section 21;

(b) a decision respecting an extension of time under section 23;

(c) a variation of a procedure under section 24; or

(d) an estimate of costs or a decision not to waive a cost under section 26.

(9) The commissioner shall provide a copy of the complaint to the head of the public body concerned.
52. (1) Where an applicant has made a request to a public body for access to a record or correction of personal information and has not filed a complaint with the commissioner under section 42, the applicant may appeal the decision, act or failure to act of the head of the public body that relates to the request directly to the Trial Division.

(2) An appeal shall be commenced under subsection (1) not later than 15 business days

(a) after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or

(b) after the date the head of the public body is considered to have refused the request under subsection 16(2).

(3) Where an applicant has filed a complaint with the commissioner under section 42 and the commissioner has refused to investigate the complaint, the applicant may commence an appeal in the Trial Division of the decision, act or failure to act of the head of the public body that relates to the request for access to a record or for correction of personal information.

(4) An appeal shall be commenced under subsection (3) not later than 15 business days after the applicant is notified of the commissioner’s refusal under subsection 45(2).
Recommendations

The following recommendations are designed as a starting point to assist the Provincial Government, agencies, and community organizations to begin the important work of responding to the girls, boys, women, and men who are sexually exploited or vulnerable to exploitation, and those who are working in the sex trade:

SETTING THE DIRECTION

1. **Provincial Cabinet:** develop and adopt a Cabinet mandate to address the issues related to sexual exploitation, including prevention, enforcement, interventions, and supports.

2. **Ministers’ Committee:** establish a cross-departmental committee. Membership would include, but not necessarily be limited to, the Women’s Policy Office; Justice; Child, Youth and Family Services; Health and Community Services; Education; Human Resources, Labour and Employment; and Innovation, Trade and Rural Development. The work of the committee would include, but not be limited to, the following activities:
   - Review policies, programs, services, and legislation to assess gaps and barriers to individuals vulnerable to sexual exploitation;
   - Develop an integrated and collaborative cross-departmental approach to identifying and responding to issues related to sexual exploitation; and
   - Provide information to Cabinet.

3. **Collaborative Working Committee:** establish and resource a collaborative committee comprised of relevant government departments and agencies, members of the Coalition Against the Sexual Exploitation of Youth, the RNC, and the RCMP. The committee would be mandated to:
   - Develop directions for the work required to address the needs of those who have been exploited or are vulnerable to exploitation, including prevention, enforcement, interventions, and supports based on best practices
   - Provide information to the Ministers’ Committee, government departments, agencies, community organizations, and the police

THE JUSTICE SYSTEM

4. **Sexual Exploitation Education and Training:** educate the police, prosecution, and judges about sexual exploitation, sexual assault, and human trafficking, and further develop skills necessary for identifying, interviewing, and responding to potential victims, as well as prosecuting offenders

5. **Collaborative Response:** develop a collaborative response to sexual exploitation between the police, community agencies, and government services
6. Sexual Exploitation Investigations: mandate the enforcement of sexual exploitation and provide the dedicated resources required to conduct collaborative, reactive, and proactive investigations, with consequences for non-compliance.

7. Internet Child Exploitation: create two amalgamated provincial child exploitation units (located in St. John’s and Corner Brook) with the mandate, training, and resources required to conduct proactive and reactive investigations, as well as to respond to related emerging issues.

8. Law Enforcement Requests: ensure that telecommunication companies are required to comply with Law Enforcement Requests for IP addresses suspected of accessing child pornography.

9. Judges: make it mandatory for judges to look at and hear all the evidence presented in trials involving child pornography and other forms of sexual exploitation.

10. Court Venues: ensure all court proceedings in the province are held in respectful surroundings; in particular, stop the current practice of holding court in barrooms.

11. Psychological Support: provide mandatory entry, maintenance, and exit debriefing to everyone in the justice system who is involved with evidence related to child pornography and sexual exploitation, and ensure this support is normalized within the workplace culture.

12. Special Initiatives for Victims Office: establish an office within the Department of Justice responsible for the coordination and accountability of police, crown, probation, and victim services’ responses to individuals who have experienced violence, including those who have been sexually exploited. The office would assist in the coordination of training and service development, research best practices, and inform both the Ministers’ Committee and the Collaborative Committee.

PREVENTION AND SUPPORT

13. CASEY: provide organizational funding for an expanded provincial organization with three staff positions (Director, Public Education & Training Coordinator, and Outreach Coordinator), and a mandate to:
   - Develop working partnerships with all stakeholders, including government departments, agencies, and community organizations throughout the province
   - Assist stakeholders to build capacity to respond to the issues
   - Develop, coordinate, and deliver education to youth, parents, and service providers
   - Coordinate skill development training for service providers, including counselors, social workers, educators, youth workers, and health care providers
   - Research relevant issues, best practices, and program models
   - Create an outreach team of agency staff and experiential peers that reaches out to and connects with youth who are sexually exploited and
adults who are working in the sex trade. The team would assist individuals to navigate government and community services, including crisis intervention, harm reduction, food, housing, clothing, health care, income, and court support. Services would be non-judgmental, inclusive, respectful, culturally appropriate, accepting of chaos and diversity, and able to respond to emergency situations.

14. Collaborative Exiting Program: provide funding for a collaborative, peer driven, long-term program with a mandate to assist individuals with exiting the sex trade. The program would provide the following supports:
   - Immediate emergency support
   - Immediate emergency funds for relocation
   - Peer support and peer counseling
   - Trauma counseling
   - Addictions support
   - Pre-employment support
   - Assistance in navigating mainstream services, programs, and supports
   - Support would be available for the life of the individual and would be non-judgmental, inclusive, respectful, culturally appropriate, accepting of chaos and diversity, and able to respond to emergency situations.

15. Workplace Protection: workplace health and safety regulations, and labour standards need to be applied to indoor sex trade businesses, including strip clubs, massage parlors and escort services.

16. Professional Education and Training
   - Train current service providers, including social workers, counselors, health care providers, youth workers, addictions services, and educators in the skills required to identify and work with individuals who have been or are vulnerable to being sexually exploited
   - Develop and implement curricula specific to sexual exploitation in relevant post-secondary faculties and programs, including police training, medical school, and schools of nursing, social work, education, and women's studies
   - Ensure training materials are inclusive, culturally appropriate, and respectful of diversity

17. Department of Child, Youth and Family Services:
   - Develop and implement a protocol to assess children and youth for sexual exploitation
   - Develop and implement innovative outreach to youth who are sexually exploited
   - Ensure that case planning for youth who have been or are at risk of being sexually exploited includes all appropriate supports specific to addressing sexual exploitation

18. Addictions Services
   - Develop and implement a protocol to assess youth and adults for sexual exploitation
   - Offer sexually exploited youth and adults in the sex trade with a choice of services designed to ensure their safety, including medical detox
and out-of-province programming
- Incorporate programming modules specific to individuals in the sex trade within current addiction programs and counseling services

19. Health Care
- Enact legislation enabling access to anonymous STI/HIV testing
- Develop and implement a Street Nurse Program based on the BC Centre for Disease Control model
- Ensure health care providers are educated about sexual exploitation and have the skills to provide health care to exploited individuals in a sensitive and appropriate way
- Develop barrier-free health care services

20. Housing Choice
- Allow people to have a choice of where they live and sleep
- Provide individuals with a choice of emergency shelter options that can ensure their safety

21. Business and Industry
- Companies must take responsibility for the behaviour of the men they hire and change their workplace culture to eliminate sexual exploitation, particularly in Aboriginal communities.