



Gouvernement
du Canada

Government
of Canada

Honourable Anthony Housefather, M.P.
Chair
Standing Committee on Justice and Human Rights
House of Commons
Ottawa, Ontario K1A 0A6

Dear Mr. Housefather:

We are pleased to respond on behalf of the Government of Canada to the Report of the Standing Committee on Justice and Human Rights, entitled: "*Moving Forward in the Fight against Human Trafficking in Canada*," tabled in December 2018.

The Government would like to thank the Committee for its study, which is helping to raise the profile of this heinous crime, and for the extensive work that went into this Report.

The Government of Canada is committed to the protection of children, women and girls, as well as other vulnerable members of our society, from all forms of exploitation and abuse, including both sexual and labour trafficking. Knowing human trafficking disproportionately affects women and girls in Canada, considerable focus is being placed on this abhorrent crime through a gender equality-based lens.

We take this opportunity to present this Government Response, which highlights domestic and international efforts across Government that address human trafficking. This includes efforts by Public Safety Canada, the Royal Canadian Mounted Police, the Canada Border Services Agency, Employment and Social Development Canada, Immigration, Refugees and Citizenship Canada, Justice Canada and Global Affairs Canada, among other federal departments and agencies. As human trafficking is a complex issue related to many different factors including migration, economic and social exclusion, human rights violations and gender-based violence, the Government of Canada also collaborates with provinces and territories, civil society organizations, the private sector and other key domestic and international stakeholders in its anti-human trafficking efforts. Our goal is to prevent human trafficking in all its forms, to identify and support victims, to protect the most vulnerable and to bring perpetrators to justice.

To this end, the Government welcomes the timely Report of the Committee as it continues its work to combat human trafficking. The Committee's recommendations are helping to inform the Government's efforts against human trafficking in Canada and abroad.

The Government of Canada takes this opportunity to thank the members of the Committee for their work in preparing this Report, and welcomes their continued interest in countering this abhorrent crime, as we move forward on enhancing the continued efforts across the federal government to collectively address this issue.

Sincerely,



The Minister of Public Safety
and Emergency Preparedness



The Minister of Border Security
and Organized Crime Reduction



The Minister of Justice
and Attorney General of Canada

Enclosure: Government Response to the 24th Report of the Standing Committee on Justice and Human Rights, *"Moving Forward in the Fight against Human Trafficking in Canada"*

Government Response to the Twenty-Fourth Report of the Standing Committee on Justice and Human Rights, “Moving Forward in the Fight against Human Trafficking in Canada”

Introduction

The Government of Canada has carefully reviewed the Report of the Standing Committee on Justice and Human Rights (the Committee) and thanks its members for the opportunity to participate in the hearings leading up to the tabling of this Report. The Government of Canada appreciates the considerable attention the Committee has devoted to this important issue. It also thanks the witnesses for their expert testimony, which has helped provide a more comprehensive picture of the challenges and opportunities to counter human trafficking in Canada.

The term “trafficking in persons,” referred to as human trafficking, is a complex crime which is facilitated by many factors, including the vulnerability of particular populations to exploitation and the demand for particular goods and services. According to the *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children* (the “Trafficking in Persons Protocol”), supplementing the *United Nations Convention against Transnational Organized Crime*, human trafficking is defined as “the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving and receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.”

The Trafficking in Persons Protocol is the most important international legal instrument that addresses this issue. It articulates the widely accepted international framework to respond to this crime, known as the four-pillar model (4Ps): prevention of the crime; protection of victims; prosecution of offenders; and working in partnerships. Canada ratified the Trafficking in Persons Protocol on May 13, 2002.

Canada’s criminal laws prohibit trafficking in persons for any exploitative purpose, regardless of whether the trafficking occurs within Canada or whether it involves bringing people into Canada. The *Criminal Code of Canada* contains six specific human trafficking offences, including trafficking in adults, child trafficking, materially benefitting from human trafficking and withholding or destroying documents to facilitate this crime; these are punishable by maximum penalties ranging from five years to life imprisonment. Individuals at greater risk of victimization generally include women and girls, as well as persons who are socially or economically disadvantaged, Indigenous women and girls, youth and children, refugees, migrants, new immigrants, teenage runaways, children who are in foster care, LGBTQ2 persons and persons with disabilities.

Most cases of trafficking in Canada occur wholly within Canadian borders, the majority of which are for the purpose of sexual exploitation, with women representing the vast majority of victims. However, cases of human trafficking for the purpose of forced labour are increasingly coming to light. Labour trafficking affects men and women more equally and is more likely to involve cross-border trafficking.

Assessing the extent of human trafficking in Canada is difficult due to its clandestine nature and the reluctance of victims and witnesses to come forward to law enforcement, as well as challenges in identifying victims. Based on reports from front-line service providers and organizations dealing with victims directly, most cases are never reported to police due to threats from traffickers, fear, shame, language barriers and mistrust of authorities. In 2017, police reported a total of 375 incidents involving violations of trafficking in persons in 2017. During the same period, police reported a total of 291 people accused of trafficking in persons.

From 2012 to 2016, the federal anti-human trafficking response was consolidated under the *National Action Plan to Combat Human Trafficking* (National Action Plan), which was guided by the *Trafficking in Persons Protocol* and focused on the internationally-recognized “4Ps” approach. Efforts under the National Action Plan were led by Public Safety Canada (PS) and activities were coordinated and undertaken by the Human Trafficking Taskforce (HTT), comprised of key federal departments and agencies. Although the National Action Plan expired in 2016, its principles continue to guide the work of the federal government. The National Action Plan underwent a formal horizontal evaluation, the findings of which were published in December 2017. The evaluation recommendations called for: improving capacity to collect national data on human trafficking; implementing a mechanism to connect victims with access to dedicated services; and forging closer partnerships with other levels of government, Indigenous communities, civil society, the private sector and bilateral and multilateral partners. The evaluation also found that there is a continued need for a national action plan to address human trafficking as the issue continues to persist in Canada.

In September and October 2018, in response to the National Action Plan’s horizontal evaluation and as part of its commitment to combat human trafficking, the Government of Canada brought together key stakeholders to engage in regional and national discussions on the *Way Forward to End Human Trafficking*. PS hosted regional roundtables in Vancouver, Winnipeg, Montreal and Ottawa and hosted a National Summit and survivor roundtable in Toronto. The consultations brought together expert stakeholders, including law enforcement organizations, province and territories, victims and survivors, Indigenous organizations, sex worker organizations, academics and criminal justice and victim service providers to share their knowledge and insights on the issue. In addition, for those interested in doing so or unable to attend the in-person consultations, an online questionnaire was made available to respond to questions posed in the consultation discussion paper. Moving forward, the information collected through the consultations will help guide Government of Canada’s efforts to counter human trafficking in Canada and abroad.

On the international stage, as part of Canada's presidency of the Group of Seven (G7), Canada hosted a meeting of the G7 Security Ministers at which several commitments were made to fight trafficking in persons. These include: working with the private sector, civil society and other stakeholders to eliminate trafficking in persons, forced labour, child labour and all forms of slavery from G7 economies; strengthening procurement practices to eliminate trafficking in persons from global supply chains; upholding and promoting the *Trafficking in Persons Protocol*; combatting trafficking in persons by partnering with the private sector and civil society to counter the illicit financial flows from this crime; and improving information sharing and best practices on support and reintegration for victims and on how to address the use of the Internet in facilitating this crime. Likewise, in September 2018, G20 Labour and Employment Ministers endorsed the *G20 Strategy* to eradicate child labour, forced labour, human trafficking and modern slavery in the world of work.

In November 2018, the Government of Canada hosted delegates from Mexico and the United States (U.S.) as part of the Trilateral Working Group on Trafficking in Persons. During the North American Leaders Summit (NALS) of 2014, the three countries committed to work collectively to combat trafficking in persons in all its forms and to work toward improving services for the victims of this crime. This commitment translated into the creation of a working-level group, which met for the first time in Washington, D.C. in September 2014, and has since had a rotating chair between the three countries annually. The meeting concluded with Canada putting forward three proposals for potential future collaboration, which included identifying trafficking routes in North America, coordinating an approach to address human trafficking in supply chains and establishing a common international plan to increase coordination of work at other multilateral tables (e.g., G7, Five Country Ministerial, G20).

In addition to the efforts outlined above, this Government Response demonstrates how the continued efforts of the Government are aligned with the Committee's recommendations and highlights current and planned initiatives to continue the fight against human trafficking in Canada and abroad.

These recommendations will inform the Government's effort as it continues to explore ways in which to strengthen its efforts to combat human trafficking. The Government also recognizes the importance of working in partnership with civil society, industry and provincial and territorial (P/T) governments to counter human trafficking and the importance of continuing to engage with these key players as it moves forward.

Recommendation 1 – Increasing Awareness

Awareness and education campaigns are central to combatting human trafficking. A national approach to awareness and education on human trafficking would ensure efforts are consistent, cohesive and target both the most vulnerable groups (e.g., women and girls, Indigenous women and girls, youth and children, refugees, migrants, new immigrants, teenage runaways, children who are in foster care, LGBTQ2 persons and persons with disabilities), those who may be in contact with victims of human trafficking (e.g., transportation industry, tourism industry, schools, child welfare systems/youth workers, healthcare workers), as well as the general public.

PS manages the Contribution Program to Combat Serious and Organized Crime (CPCSOC), which has a stream dedicated to human trafficking and child sexual exploitation. Under the Terms and Conditions for CPCSOC, PS can provide contribution funding for projects and/or initiatives to increase knowledge, raise awareness and/or help advance efforts to combat human trafficking and child sexual exploitation. More specifically, the CPCSOC supports the creation, promotion and/or dissemination of education and/or awareness materials/resources related to human trafficking.

Current initiatives under the CPCSOC include funding to the Canadian Centre to End Human Trafficking (the Centre), which received contribution funding beginning in 2018 to establish a National Human Trafficking Hotline. In collaboration with P/T and international partners, the Centre will produce and implement national and targeted awareness campaigns to promote the hotline number and its services, raise overall awareness on the issue of human trafficking and, most importantly, reach the most vulnerable groups.

PS is also leading on the development of a human trafficking awareness and training module for airline personnel. This training is modeled on the *Blue Lightning Initiative* led by the U.S. Departments of Homeland Security, Customs and Border Protection and Department of Transportation, which aims to train airline personnel to identify potential victims of human trafficking and their traffickers and to report their suspicions to federal law enforcement. This awareness and training module could later be tailored to other stakeholders in the transportation and tourism industry, including other modes of transportation, such as bus-lines and taxis, and hospitality stakeholders, such as hotels and restaurants.

Indigenous Services Canada's (ISC) *Family Violence Prevention Program* seeks to improve the safety and security of Indigenous women, children and families. The *Family Violence Prevention Program* supports Indigenous family violence prevention projects on and off reserve in priority areas, including human trafficking and sexual exploitation. ISC also currently supports a network of 42 shelters on reserve across the country, which provide a vital place of refuge for First Nations women and their children, to help them escape situations of violence, including human trafficking, and to provide education and support to prevent all forms of violence.

Recommendation 2 – Protecting Victims Abroad

The Government of Canada acknowledges the importance of properly training its officers, including officers working in Canadian missions abroad. Since 2016, Immigration, Refugees and Citizenship Canada (IRCC) has required all newly recruited Foreign Service immigration officers to complete mandatory online training on human trafficking as part of their Foreign Service Development Programs. When information related to human trafficking is identified by IRCC Officers or Canada Border Services Agency (CBSA) Liaison Officers, or by a partner country with whom Canada has information-sharing agreements, it is flagged in Canada's Global Case Management System to ensure appropriate referral to the CBSA to conduct a security screening assessment and/or seek additional guidance from headquarters. To ensure that no cases are missed, IRCC also prepares tactical briefing products containing relevant intelligence, which are distributed to the appropriate offices to ensure effective processing of cases that may be of concern for human trafficking. IRCC has developed functional guidance related to the issuance of Temporary Resident Permits specific to victims of human trafficking, which is available internally online to all IRCC staff. IRCC also maintains a Country Information Library with detailed information on over 60 countries around the world; each country report includes information on human trafficking, namely whether the country meets the U.S. *Trafficking Victims Protection Act's* minimum standards (as reported in the U.S. State Department's *Annual Trafficking in Persons Report*).

Global Affairs Canada (GAC) provides training to consular officers, who assist Canadians in distress abroad, on the provision of services to vulnerable clients, including those who have been victims of crime, such as human trafficking. Consular officers are updated on best practices and lessons-learned through online and in-class sessions; policies and guidelines are also regularly updated. Consular officers also act as liaisons with the Department of Justice when victims of crime are seeking financial assistance from that department (see more information below).

GAC employees can also register for courses that relate to trafficking in persons before accepting a position abroad. The Centre of Learning for International Affairs and Global Leadership offers three courses that have a human trafficking nexus: a three-day course on Children's Rights (open to Development, Political, Trade and Consular Officers), during which the trafficking issue is addressed among the list of current child rights issues; *Advancing Human Rights Internationally: Essential Briefings*, which touches briefly on human trafficking as one of many violations of human rights; and *Introduction to Conflict Analysis*, which mentions human trafficking and child trafficking as indicators of sexual violence and child abuse. GAC employees also have access to an advocacy toolkit on human trafficking for their work on related advocacy activities and they can obtain more information on trafficking in persons through the GCPedia Human Trafficking Toolkit. GAC is in the process of updating its advocacy toolkit on human trafficking and will include the Committee's Report in its reference documents. The updated advocacy toolkit will be distributed to all missions.

The Department of Justice provides direct financial assistance to Canadians who are victims of specified offences abroad, including homicide, sexual assault, aggravated assault and other serious personal violence offences. In many instances, Canadians who have been trafficked abroad would be eligible for financial assistance under this funding program. Justice Canada officials have delivered training on this funding program to new consular officers and provided specialized training to desk officers in Canada to ensure that they are in a position to provide the information to embassy officials as needed.

The Royal Canadian Mounted Police (RCMP) Human Trafficking National Coordination Centre (HTNCC) delivers presentations to RCMP Liaison Officers during their pre-deployment course. The presentation includes a brief overview of HTNCC's mandate, activities and initiatives across the country and services offered to the Liaison Officers while they are abroad. Liaison Officers also receive a Human Trafficking Toolkit for law enforcement, which they can consult to get familiar with all *Criminal Code of Canada* offences related to human trafficking, obtain a description of the different types of human trafficking, indicators, questions to ask victims and contact information for the HTNCC. Moreover, Liaison Officers are strongly encouraged to take the RCMP Human Trafficking three-hour online training prior to departure to become even more familiar with the dynamics of this crime. RCMP employees can be informed on policies with regards to combatting human trafficking through internal RCMP systems, such as the Infoweb and Groupwise (e-mail), and by contacting the HTNCC directly.

The Department of National Defence and the Canadian Armed Forces also deploy Canadian Defence Attachés to Canadian embassies. Human trafficking awareness training will be incorporated into the training curriculum for newly-nominated Attachés.

Recommendation 3 – Preventing Victimization of Migrant Workers

The Government of Canada has put in place a series of programs and compliance regimes to ensure that migrant workers are aware of their rights when entering Canada and to prevent their victimization.

The CBSA is responsible for managing and enforcing Canada's borders, including intercepting suspected cases of human trafficking under the authority of the *Immigration and Refugee Protection Act* (IRPA). In addition, as part of "Our Missing Children Program," CBSA is mandated to intercept and protect victims of human trafficking. As part of its regular operations, the CBSA utilizes interpreters where necessary to complete port of entry examinations. The CBSA is not, however, responsible for briefing workers with respect to their labour rights in Canada. The CBSA partners with other responsible federal organizations, such as Employment and Social Development Canada (ESDC), in order to fulfill their mandate with regards to temporary foreign workers (TFWs). ESDC and IRCC, who are responsible for the TFW policy and programs, have made migrant worker protection a priority.

The Government acknowledges that one of the best tools to increase the protection of migrant workers is by increasing their knowledge about their rights while in Canada along with their employer's obligations. More specifically, ESDC/Service Canada makes information available to TFWs about their rights and resources while in Canada. ESDC/Service Canada operates a webpage dedicated to the rights and protection for TFWs, which contains:

- questions to help identify possible signs of human trafficking, along with key contact information for victims of human trafficking;
- the "*Temporary Foreign Workers: Your rights are protected*" pamphlet and "*Foreign Workers: Know your rights*" publication;
- contact information for P/T Health and Safety offices and Employment standards offices; and,
- a link to the public list of TFW Program employers found non-compliant.

The webpage is available in English and French, the pamphlet is available in English, French and Spanish. The "*Foreign Workers: Know your rights*" publication is also available in Chinese, Hindi, Korean, Spanish, Tagalog and Thai. Additionally, Service Canada provides key information and the publication directly to TFWs when they apply for their Social Insurance Number upon their arrival in Canada. Service Canada officers also provide TFWs with the "*Temporary Foreign Workers: Your rights are protected*" pamphlet and the "*Foreign Workers: Know your rights*" publication when conducting on-site inspections.

ESDC/Service Canada is facilitating informing TFWs of their rights by working more closely with key stakeholders and partners involved in the protection of TFWs. In October 2018, the Migrant Worker Support Network (MWSN) pilot was launched in British Columbia (B.C.) for TFWs dealing with potential mistreatment and abuse. Network members collaborate on key issues facing TFWs and propose recommendations to better support, protect and empower TFWs while in Canada. In addition to the launch of the MWSN, the federal government will also provide funding to B.C.-based non-profit organizations to better support TFWs to understand and exercise their rights and to employers to better understand and meet Program conditions and requirements.

ESDC/Service Canada will continue to work to improve measures to inform and support TFWs in collaboration with IRCC, CBSA, provinces and territories and other stakeholders involved in the protection of TFWs.

Complementing these efforts, in December 2018, IRCC pre-published proposed regulatory amendments that would introduce a new authority for migration officers to issue open work permits to migrant workers experiencing or at risk of abuse in the context of their employment in Canada.

This open work permit for vulnerable workers would aim to provide migrant workers on employer-specific work permit with means to leave abusive situations (i.e., authorization to work for another employer) and to reduce the risk of migrant workers leaving their job and working without authorization, which can increase their vulnerability. It would also encourage migrant workers to come forward and report abuse to authorities if they wish to participate in any relevant inspections or investigations of their former employer.

Recommendation 4 – Appropriate Training of Stakeholders

The Government of Canada recognizes the need to work with provinces and territories to implement measures to ensure training for key stakeholders involved in the fight against human trafficking. Through the Victims Fund, which provides grants and contribution to support projects and activities that encourage the development of new approaches, promote access to justice, improve the capacity of service providers, foster the establishment of referral networks and/or increase awareness of services available to victims of crime and their families, Justice Canada has made funding available since Fiscal Year 2013-14 for projects that improve services for victims of human trafficking, including through the development and delivery of training for criminal justice professionals and other stakeholders. On October 4, 2018, the Victims Fund was approved for an additional \$500,000.00 per year ongoing in increased funding to support victims of human trafficking, bringing the total amount of available funding to \$1 million annually. As of January 2019, a total of 24 projects are currently being supported by the Victims Funds to support the development and delivery of training on human trafficking.

Justice Canada will continue to provide funding for community organizations and law enforcement agencies. A call for proposals under the Victims Fund for projects that support vulnerable victims of crime is planned for early 2019. One stream will be dedicated to victims of human trafficking. It is anticipated that the three priorities of the human trafficking stream will focus on:

- continued improvement in services for victims of human trafficking;
- training for prosecutors and first responders, including police officers, immigration officers, nurses and medical professionals, in order to enhance the detection of human trafficking incidents and the investigation and prosecution; as well as supporting training programs aimed at increased awareness of human trafficking among judges; and,
- data gathering and information sharing among stakeholders involved in the fight against human trafficking in Canada.

Justice Canada also provides regular training to police on the legislative framework applicable to human trafficking through the Canadian Police College's Human Trafficking Investigators' Course, as well as directly to police forces on request.

Finally, IRCC has developed a comprehensive training program for its immigration officers in Canada on the Victims of Trafficking in Persons (VTIP) Temporary Resident Permit Program. Definitions of terminology used, interview techniques and guidance form part of the detailed instructions. The immigration officers responsible for victims of trafficking in local offices across Canada attended the first annual VTIP symposium, which took place in March 2018.

Hosted by the program leads at National Headquarters in Ottawa, the symposium provides review and training of the many aspects of the VTIP file and provides a forum for officers to discuss challenges and concerns and suggest changes to the instructions and/or the program. The second annual VTIP symposium will be held in Ottawa in March 2019.

Recommendation 5 – Training for Judges

The Government acknowledges the importance of training stakeholders, including judges, to increase their awareness of human trafficking. The development and delivery of judicial education is managed by the judiciary themselves in order to uphold the fundamental principle of judicial independence and cannot be mandated by any level of government. Under the leadership of the Canadian Judicial Council, Canada's judges have recognized that ongoing professional development is critical to the effective implementation of all aspects of the judicial role. The National Judicial Institute (NJI), which is the principal national body dedicated to continuing education for federally and provincially-appointed judges throughout Canada, has developed programming aimed at increasing the judiciary's understanding of the complex issue of human trafficking. In addition, Justice Canada continues to provide the NJI with annual funding and, in 2017, announced nearly \$100,000.00 in additional funding to create a video training series for judges on how to consider the social context in sexual assault cases and other cases of gender-based violence, including human trafficking.

The NJI has designed a course in collaboration with the Canadian Chapter of the International Association of Women Judges, entitled "*Judging as Canada Changes: Safety and Security for Women*." This seminar employs a number of interactive tools to provide an overview of legal developments with respect to the safety and security of women in the context of human trafficking, sexual assault trials and property law. Particular emphasis is placed on the experiences of marginalized women and those with intellectual or physiological disabilities. Relevant training would be valuable for provincial and territorial court judges as well, whether it is made available under the auspices of the NJI or through other programs at the provincial or territorial level. Accordingly, the Minister of Justice will raise this issue with his provincial and territorial partners.

Recommendation 6 – Financial Reports

The Government acknowledges the need to work with the financial and banking sectors in the fight against human trafficking. Project Protect, launched in 2016, is a public-private partnership that targets human trafficking in the sex trade by focusing on the money laundering aspect of the crime. It is an initiative led by the Bank of Montreal in collaboration with the Financial Transactions and Reports Analysis Centre of Canada (FINTRAC), law enforcement and other major banks. Through Project Protect, FINTRAC has worked closely with Canada's financial institutions to increase awareness and understanding of money laundering in relation to human trafficking in the sex trade. In collaboration with Canada's major banks and law enforcement, FINTRAC developed an Operational Alert, entitled "*Indicators: The laundering of illicit proceeds from human trafficking for sexual exploitation.*"

This publication and FINTRAC's participation in various domestic and international forums have helped to significantly increase the understanding of financial transaction patterns that may be linked to money laundering related to human trafficking in the sex trade so that businesses recognize when to submit a suspicious transaction report to FINTRAC.

FINTRAC plans to update the money laundering indicators related to human trafficking in the sex trade. The purpose of this initiative is to increase public awareness and to assist banks, money services businesses and other entities in identifying and submitting suspicious transaction reports to FINTRAC. Consulting and collaborating with private sector entities on this initiative will be essential in order to ensure that Canadian businesses on the front lines are well equipped to detect suspected instances of money laundering and associated human trafficking. Additionally, FINTRAC will continue to work with its law enforcement and federal/provincial/territorial (F/P/T) partners to educate them on the value of financial intelligence related to human trafficking investigations.

Recommendation 7 – Protecting Temporary Foreign Workers' Rights

ESDC takes the protection of TFWs and integrity of the TFW Program very seriously and will not tolerate any abuse or misuse of TFWs or of the Program. The TFW Program allows Canadian employers to hire foreign workers to fill temporary jobs when qualified Canadians and permanent residents are not available.

In addition to the measures taken to inform TFWs of their rights as outlined in the response to Recommendation 3, and to further protect TFWs' rights, ESDC has established a robust employer compliance regime where ESDC has the authority to visit employer worksites and inspect employer activities to verify that they are meeting Program conditions and requirements. ESDC recently introduced a risk-based approach that has enabled the employer compliance regime to better target employers who employ the most vulnerable workers.

In addition, ESDC has increased the number of on-site inspections, which has proven to be an effective tool in identifying and correcting employer non-compliance. In addition, Budget 2018 announced \$15 million over three years, beginning in 2018-19, to fully implement unannounced on-site inspections in order to further strengthen the protection of TFWs' rights in Canada. When an employer fails to meet these conditions or does not cooperate during an inspection, a range of consequences can be imposed, such as administrative monetary penalties (AMPs) ranging from \$500.00 to \$100,000.00 per violation, with a maximum of \$1 million in a one-year period, temporary or permanent bans from accessing the Program, or revocation of Labour Market Impact Assessments (LMIAs). Employers can also be issued a negative LMA for any pending applications and previously-issued LMIAs could be revoked. Employers found non-compliant also have their name and address published on the IRCC public list with details of the violation and consequence.

Continued collaboration between ESDC and the P/Ts is critical to verify employers' compliance with TFW Program requirements, including compliance with P/T laws, and thereby ensuring the protection of TFWs. The development of formal information sharing agreements (ISAs) between ESDC and the P/Ts is ongoing. In addition, ESDC launched a F/P/T working group on TFWs' protections that convenes on a monthly basis in an effort to have a dedicated forum to discuss worker protection best practices and gaps in a collaborative fashion.

ESDC/Service Canada also has a number of measures in place to support TFWs who are victims of mistreatment or abuse. ESDC/Service Canada operates a confidential Tip Line (1-866-602-9448) and Online Fraud Reporting Tool where TFWs or other interested parties are able to anonymously report these situations. ESDC/Service Canada is committed to ensure broader access to a multilingual portal for TFWs by finalizing its technical capacity to process tips and allegations received in select foreign languages (e.g., Spanish, Tagalog, Hindi, Korean, Thai and Mandarin).

Where there is a concern for an individual's safety, ESDC/Service Canada immediately communicates with the appropriate law enforcement agency (e.g., RCMP and/or CBSA) and, where necessary, a law enforcement officer would remove the TFW from the situation. Officers would also notify IRCC so that no further work permits are issued for that employer while an inspection or investigation is underway. When workers are removed from the employer, IRCC, in collaboration with support organizations, makes every effort to assist them in finding available employment with another employer in good standing with the Program.

Recommendation 8 – Parameters and Definition of Human Trafficking

The Government of Canada acknowledges the importance of clear parameters and legal definition that are understood and used by all. The *Criminal Code of Canada* establishes the definition of human trafficking in Canada.

It clearly defines human trafficking as recruiting, transporting, harbouring and/or exercising control, direction or influence over the movements of a person, in order to exploit them or facilitate their exploitation (sections 279.01 and 279.011), typically through sexual exploitation or forced labour. Exploitation means causing the victims to provide or offer to provide labour or services by engaging in conduct that, in all circumstances, could reasonably be expected to cause the person to believe that their safety would be threatened if they failed to provide the labour or service (section 279.04). This means that exploitation for the purpose of the human trafficking provisions is established where a reasonable person in the victim's circumstance could believe their physical or psychological safety would be threatened if they failed to provide their labour or service. The Ontario Court of Appeal has interpreted these provisions broadly to include individual offenders and sophisticated criminal organizations and both physical and psychological forms of exploitation, regardless of the type of labour or service at issue (A.A., Ontario Court of Appeal, 2015).

Recommendation 9 – Data Gathering and Information Sharing

The Government recognizes the importance of good, strong data to support policy and programming responses to human trafficking in Canada. Collaboration with P/T partners is essential to strengthen data collection, as is collaboration and information sharing with law enforcement and communities to encourage and facilitate reporting on human trafficking.

The Canadian Centre for Justice Statistics collects information on trafficking in persons in Canada through two surveys: the Uniform Crime Reporting Survey (UCR) and the Integrated Criminal Courts Survey (ICCS). The UCR collects information on human trafficking incidents which come to the attention of police services across Canada, whether as a primary or secondary offence, including incident, victim and accused characteristics. The ICCS collects data on court cases which involve human trafficking charges, including court decisions and sentencing outcomes related to these cases.

Statistics Canada continues to make efforts towards identifying additional data sources on human trafficking. As part of these efforts, Statistics Canada is participating in a new Data Collection working group of the federal Human Trafficking Taskforce, with an objective of identifying opportunities to advance more robust data collection and to increase the reliability of human trafficking data in Canada. This working group provides a forum for key federal partners – PS, Justice Canada, Statistics Canada, RCMP and CBSA – to collaborate and share information on an ongoing basis.

To enhance data collection in Canada, one of the three priorities of Justice Canada's Victims Fund 2019 call for proposals will focus on data sharing and information sharing among stakeholders involved in the fight against human trafficking in Canada.

Recommendation 10 – National Hotline on Human Trafficking

In July 2018, PS launched an open call for applications to establish and maintain a National Human Trafficking Hotline to receive, coordinate and dispatch calls to law enforcement, resources and local referral services for victims and survivors of human trafficking.

The National Hotline will offer a toll-free service operating 24 hours a day, seven days a week, that: will receive calls, emails and texts related to human trafficking in Canada; operate a website; refer victims to services and law enforcement; develop and disseminate awareness material and information for human trafficking victims/survivors, governments and the general public; and collect, store, protect, analyze and share data on the incidence of human trafficking in Canada.

More specifically, the Canadian Centre to End Human Trafficking (the Centre), which has been selected to implement and operate the Hotline, has committed to:

- Create and maintain a toll-free national hotline operated by trained professional offering services in English and in French where people will be able to call-in, text or send emails to obtain referral for services and/or report tips on potential human trafficking incidents;
- Create, implement and maintain a secure national human trafficking data management and collection system to collect data and report on incidents of human trafficking;
- Create an online portal to house human trafficking resources in English and French for victims, governments and front-line service providers, including links to training materials, law enforcement and federal/provincial and municipal government resources and supports, information about events, human trafficking relevant international, Canadian and provincial legislation;
- Create a national referral mechanism by partnering with organizations/institutions/associations to develop and implement response protocols to foster national collaboration and coordination and ensure availability of, and access to, referral services in English and/or French as appropriate;
- Produce and implement national and targeted campaigns in English and in French, in collaboration with provincial/territorial and international partners, that will promote the hotline number and services; and,
- Identify the framework by which the Hotline will act as a centralized resource to consolidate expertise and initiatives on human trafficking to effectively provide services to human trafficking victims and survivors, particularly tailored to vulnerable groups, including women and girls, youth, LGBTQ2, homeless youth, domestic labour workers and Indigenous populations.

The long-term objectives of the National Human Trafficking Hotline are to provide a centralized, victim-centered, survivor-informed resource to every victim and survivor of human trafficking across Canada and increase public awareness on this crime, while informing policy and program development to counter it.

Recommendation 11 – Renewal of an Enhanced National Action Plan

The Government of Canada believes that a multi-disciplinary and collaborative response to human trafficking, which encompasses legislative, programming and policy measures, as well as international cooperation, is necessary to combat human trafficking. In June 2012, the Government of Canada launched the *National Action Plan to Combat Human Trafficking* (National Action Plan) with the goal of providing a comprehensive federal response to address human trafficking with a focus on the internationally recognized 4Ps approach: prevention, protection, prosecution and partnership. The National Action Plan expired in March 2016 and underwent a Horizontal Evaluation in 2016-17. The Evaluation found that there was a continued need for a National Action Plan.

In Fall 2018, PS, along with federal partners, undertook consultations to gather stakeholder views to help inform ongoing efforts to strengthen the Government's overall anti-human trafficking response. More than 200 individuals participated in regional roundtables in Vancouver, Winnipeg and Montreal and a national summit and survivor roundtable in Toronto, which the Minister of PS attended. Participants included victims and survivors of both sexual and labour trafficking, all levels of government, civil society, law enforcement and front-line service providers. In addition to the in-person consultations, 42 written submissions were received from survivors and other stakeholders from the private sector, academia and federal/provincial agencies, as well as civil society organizations.

Participants in the consultations were provided with topics for discussion which included enhanced collaboration, victim protection, data collection, labour trafficking, law enforcement and prosecutions and industry/tech solutions. The objectives of the consultations were to: identify issues, priorities, gaps and challenges that are key to domestic and international stakeholders; identify federal/provincial/territorial interdependencies in the national anti-human trafficking response; identify environmental changes and emerging domestic and international trends since the implementation of the previous National Action Plan; identify potential actions/initiatives to address changes, trends, and gaps; identify international best practices applicable to the Canadian context; and, establish fact and evidence-based solutions. A report on the consultations will be made public in 2019.

The recommendations from the 2016-17 Horizontal Evaluation, outcomes from the consultation process and recommendations from the Committee will guide Government's actions to combat human trafficking. Input received during the consultations will also ensure that civil society's views continue to be reflected in the design and implementation of the Government's anti-human trafficking response.

Recommendation 12 – Special Events

The Government is conscious of the fact that some special events in Canada can contribute to situations of sexual exploitation and has put in place mechanisms to address this potential issue. The CBSA's International Events and Convention Services Program (IECSP) has a voluntary program by which organizers of special events coming into Canada can register online and receive guidance on the requirements to host their event and facilitate entry of its organizers into the country. The IECSP maintains a database tracking approximately 1,400 events and 1 million foreign nationals annually. Currently, this information is shared internally within the CBSA and weekly reports are sent to partners such as the IRCC and Business Events Canada.

As part of the Government's extension of funding for the Formula 1 Grand Prix of Canada 2025 to 2029 (F1 GP), measures were announced aimed at preventing and combating sexual exploitation and human trafficking that can occur during the event. The Government also set up a working group, led by Canada Economic Development for Quebec Region, which also includes representatives from PS, the RCMP, CBSA, GAC and Women and Gender Equality Canada. The working group is responsible for implementing an action plan to prevent and combat sexual exploitation and human trafficking in the context of the Grand Prix. More specifically, the action plan focuses on: collaboration among law enforcement agencies to effectively target perpetrators and ensure victims are protected and supported; a public awareness campaign focusing on sexual exploitation to reach the general public, tourists, visitors, consumers of sexual services, potential victims and hotels; and, outreach and engagement activities with local organizations and industry, including the event promoter. There is also the possibility of providing funding to projects related to this initiative.

Recommendation 13 – Collaboration and Coordination

The Government acknowledges the importance of collaboration and partnership and continues to work with its partners to strengthen ongoing efforts to fight human trafficking, including working with provinces and territories. The Minister of Justice has committed to raising the Committee's justice-related recommendations at the next meeting of the F/P/T Ministers responsible for Justice and PS. In advance of that meeting, the Minister of Justice has asked his Deputy Minister to raise these issues with colleagues at the next F/P/T meeting of Deputy Ministers responsible for Justice and PS, scheduled for May 2019, in preparation for a fuller discussion at the next meeting for Ministers.

Recommendation 14 – Federal Funding

The Government recognizes that funding to stakeholders has been raised as an ongoing issue. As outlined in its response to Recommendation 11, the Government continues to explore options aimed at strengthening its overall response to this human trafficking. This includes ongoing engagement and collaboration with provinces and territories, including through the F/P/T Working Group on Trafficking in Persons.

Recommendation 15 – Publishing Identity of Convicted Human Trafficking Offenders

Provinces and territories are responsible for the vast majority of human trafficking prosecutions; therefore, the Minister of Justice will raise the issue with his counterparts at the next meeting of F/P/T Ministers responsible for Justice and PS.

Recommendation 16 – Publishing the Names of Establishments Found to Have Knowingly Facilitated Human Trafficking

As is the case under Recommendation 15, most human trafficking prosecutions fall under the responsibility of provinces and territories; as such, the Minister of Justice will raise the issue with his counterparts at the next meeting of F/P/T Ministers responsible for Justice and PS.

Recommendation 17 – Creating a Self-Governance within the Hospitality Industry

The travel and tourism sector plays an important role in the fight against human trafficking and the Government of Canada recognizes the work already undertaken by this sector to improve its accountability. Examples of initiatives within the travel and tourism sector include participation in the Meeting Professionals against Human Trafficking, which is a group of dedicated conference and event planners, and hotel sales professionals and audio and visual professionals, who are raising awareness about human trafficking through education and collaboration with key industry stakeholders so that those within the sector can more readily recognize the signs of human trafficking and report suspected incidences. The Government of Canada supports this work and encourages the hospitality industry to continue its efforts to address human trafficking within their establishments, including through the adoption of a voluntary code of ethics.

The implementation of a National Human Trafficking Hotline will further contribute to raising awareness about human trafficking in Canada and will facilitate collaboration between the hospitality industry and law enforcement agencies by offering a dedicated channel for the hospitality industry and others to refer tips received to the proper law enforcement agencies. The National Human Trafficking Hotline also hosts a website which contains educational material on recognising the signs of human trafficking in Canada.