



# IM/MIGRANT SEX WORKERS, MYTHS AND MISCONCEPTIONS

Realities of the Anti-Trafficked



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## About SWAN

Supporting Women's Alternatives Network (SWAN) Vancouver Society is a non-profit, that for over ten years, has been providing a safe environment and non-judgmental support and services to newcomer, migrant and immigrant women who do indoor sex work. Over the years, SWAN has expanded outreach to cover a variety of indoor sex work sites in Greater Vancouver and has launched an online multilingual outreach program to support women working in private residences. In addition to basic outreach support, SWAN also participates in research, forums and meetings locally, nationally and internationally to learn and raise awareness in the public debate about the priorities and needs of im/migrant women working in indoor sex work.

SWAN envisions a society in which sex work stigma, discrimination and inequities are eliminated and non-judgmental community acceptance, supports and resources exist for individuals who engage in sex work.

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## Introduction

Are you interested in learning more about human trafficking? Do you work with marginalized populations at risk of trafficking and/or exploitation? Do you want to know how to better meet the needs of individuals working in the sex industry? The goal of this advocacy toolkit is to present a critical perspective on human trafficking in Canada so that you can contribute to meaningful and balanced dialogue wherein trafficking and consensual adult sex work are separated. If you are interested in the issue of human trafficking, we hope that what you learn from this toolkit will give you the knowledge to make a difference and meet the needs of sex workers, in particular migrant and im/migrant<sup>1</sup> sex workers.

This advocacy toolkit is a result of one component of a collaborative research project funded by the Law Foundation of British Columbia called 'The Palermo Protocol & Canada Ten Years On: The Evolution and Human Rights Impacts of Anti-Trafficking Laws in Canada' [herein, the Palermo Project]. This project gathered information on Canada's anti-trafficking legal efforts to ascertain the challenges, success and advice of several groups who create, implement, enforce, and are affected by anti-trafficking criminal and immigration laws in Canada. SWAN collaborated with this study because im/migrant sex workers are consistently identified by governments and service organizations as being uniquely vulnerable to human trafficking. Our members are disproportionately identified as victims of human trafficking and therefore are also disproportionately affected by anti-trafficking media campaigns, policy discourse and legal efforts. We recognize the importance of such research as the enforcement of the laws impacts the lives of the women we work with and their greater commercial sex communities. Little is known about the impacts of the legislation and how the dominant ways of talking about trafficking have on im/migrant sex workers; thus we collaborated on this study with the goal of promoting more empirically informed, ethically-created and responsible anti-trafficking knowledge.

The *Palermo Project* is comprised of three key components: legal analysis of the evolution and enforcement of criminal and immigration anti-trafficking laws, interviews with criminal justice practitioners with direct experience related to anti-trafficking laws and three focus groups with SWAN board members and outreach volunteers who have many years of front-line experience working with im/migrant sex workers. The information contained in this toolkit came out of the focus groups with SWAN members that took place, after receiving ethics approval, over three months in 2014.<sup>2</sup> We draw on these themes in this booklet and present some of the more salient quotes from SWAN members in order to emphasize their experiences working with im/migrant sex workers.

This collaboration has provided SWAN with an opportunity to bring increased awareness to the needs of the women we support. When SWAN was conceived in 2004, 'human trafficking' was not even a criminal offence in Canada. Over the last decade, we have seen a reframing of im/migrant sex work as human trafficking. This reframing did not emerge from im/migrant sex workers; rather, it has been imposed on them, alongside a variety of oppressive and stigmatizing characterizations. With this advocacy toolkit, we hope to educate various groups about the realities facing the women we support and about the negative impacts of well-intentioned anti-trafficking efforts. While we acknowledge that victimization can occur in the sex industry, the assumption that all im/migrant sex workers are victims of human trafficking is not accurate. Indeed, this assumption can cause a failure to differentiate victims of trafficking in persons from consenting adults, preventing victims' voices from being heard and consensual adult im/migrant sex workers from articulating their needs. In this booklet, we detail the

harms of these dominant perspectives and provide specific recommendations for how to best meet the needs of our membership without contributing to further marginalization and stigmatization

## Statistical Scrutiny: You Can't Always Believe What You Hear




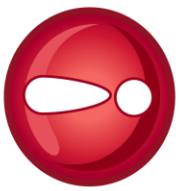




Have you noticed that the statistics used by anti-trafficking organizations, campaigns, the media and governments are always the same? These statistics are repeated so often that they are assumed to be the truth. However, these statistics may not be evidence-based or accurate.<sup>3</sup> A literature review of over 700 sources on human trafficking found that less than half contained evidence-based research.<sup>4</sup> The anti-trafficking industry has been coined a “rigor-free zone”<sup>5</sup> where advocates can disguise their desire to abolish sex work with anti-trafficking initiatives and campaigns that equate sex work and human trafficking.

We approach the issue of human trafficking through a critical lens in which we separate adult consensual sex work from trafficking and from youth sexual exploitation. In challenging these statistics, we are not saying that human trafficking and exploitation do not occur in Canada, and do not dispute the seriousness of human trafficking as a crime when it does occur. We especially acknowledge that youth sexual exploitation does occur and we support initiatives to protect youth from this; however when child and youth sex trafficking is the center of a larger conversation about trafficking that encompasses consenting adults, anti-sex work advocates can use children and youth as a strategy to reduce the complexity of trafficking by pushing it to its extreme edge [i.e. child trafficking] to the point where it becomes so deplorable that there is no space for a critical analysis.<sup>6</sup>

Our purposes in debunking these myths is to demonstrate how easy it is for misinterpreted and misguided information to be taken as fact and to encourage people to question where these statistics come from, how they were collected and to whom they are being applied.

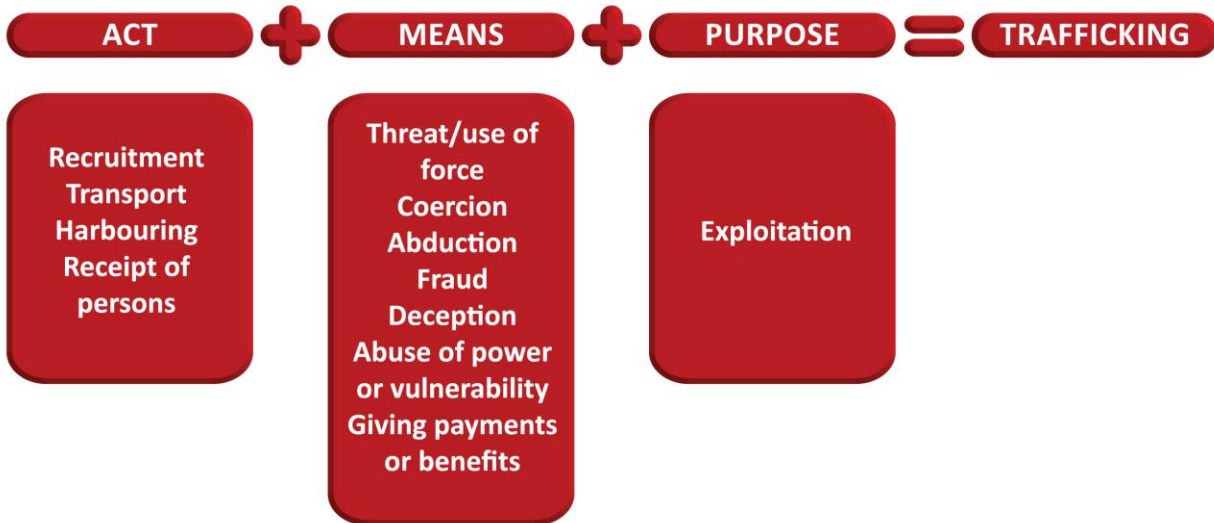
The following infographic challenges some of these human trafficking statistics we often hear. We critically examine these widespread statistics so that those interested in this issue will have the tools to question the source and context of these statistics, and consider human trafficking in a more critically informed way.

# 6 Youth Sexual Exploitation and Trafficking-Related Myths and Misconceptions

THE MYTH IS...	BUT CONSIDER THIS...	AND DID YOU KNOW?
 <p><b>12-14</b> The average age of entry into prostitution is 12-14 yrs old.</p>	 <p>'Average' denotes that there are as many 0-11yr olds entering prostitution as there are teens/adults.</p>	<p>This statistic is from one research report conducted in the 90s that only included participants 18 yrs and under. This statistic does not represent the entire sex industry.<sup>10</sup></p>
 <p>There are at least <b>300,000</b> children and adolescents prostituted in the US every year.<sup>11,12,13</sup></p>	 <p>The study cited actually identified these 300,000 as 'at risk of sexual exploitation'.<sup>14</sup></p>	<p>To estimate this figure, researchers relied on a series of guesses and risk factors that meant some participants were counted more than once.<sup>15</sup></p>
 <p>Around <b>600 foreign nationals</b> are brought into Canada for the purposes of sex trafficking every year.<sup>16,17</sup></p>	 <p>The RCMP no longer cites this figure, admitting the results were misinterpreted and misrepresentative.</p>	<p>The RCMP currently offers no new estimate because of the difficulty of accurate estimation.<sup>19</sup></p>
 <p>A single victim of sex trafficking is worth approximately <b>\$280,000 per year</b> to her pimp.<sup>20,21</sup></p>	 <p>What do you think an average sex worker makes an hour? Consider expenses too (e.g. airfare, hotel, food, clothes, drugs, etc.)</p>	<p>\$280,000 is based on a \$300/hr salary averaged derived from online advertisements. Do you think all online advertisements represent trafficking victims?<sup>23</sup></p>

# What is Human Trafficking?

There is an internationally agreed definition that defines trafficking in persons<sup>23</sup> as consisting of the following three elements:



Canada has two different laws that prohibit trafficking in persons. Both of these laws provide slightly different and much broader definitions of trafficking in persons than required by the summarized international UN Trafficking Protocol definition above. International ‘cross-border’ trafficking charges under our immigration law are used by the federal government to prosecute ‘knowingly organizing another person’s entry into Canada by means of abduction, fraud, deception or use or threat of force or coercion.’<sup>24</sup>

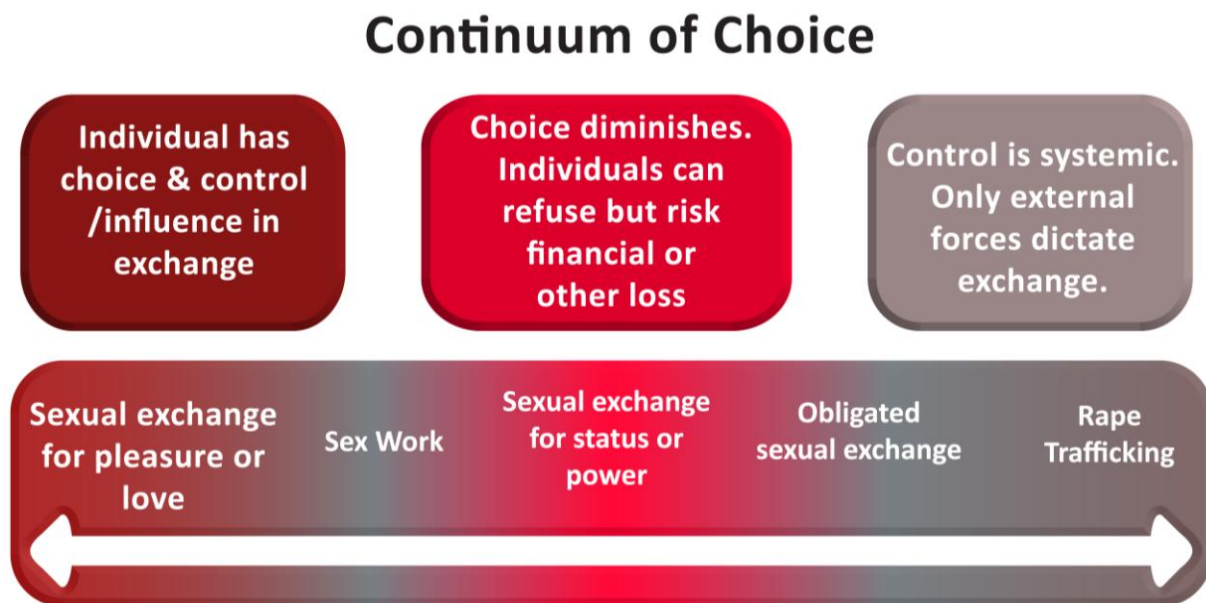
The first and only completed prosecution in Canada so far involving the alleged cross-border trafficking of migrant women into Canada to work in the sex industry, the Ng case, resulted in Ng’s acquittal on the trafficking in persons charges.<sup>25</sup> The lack of trafficking prosecutions is consistent with SWAN’s experience on the ground working with im/migrant sex workers who do not identify trafficking as their lived experience. International or domestic trafficking charges under our criminal law are used by the provincial and territorial governments to prosecute trafficking in persons in situations involving ‘recruiting, transporting, transferring, receiving, holding, concealing or harbouring a person, or exercising control, direction or influence over the movements of a person for the purpose of exploiting them or facilitating their exploitation.’<sup>26</sup>

Under the criminal law, based on the data we have been able to collect for our project, since the trafficking in persons offences were first introduced in 2005, there have been less than 20 cases in which trafficking in persons offence convictions have been obtained.<sup>27</sup> It is important to note that some cases result in convictions under other, related offences instead of, or in addition to, the human-trafficking specific charges. The legal framework is only part of the story, though. The enforcement of laws<sup>28</sup>—and the public campaigns about the law and the activities targeted by the law—have a more direct effect on im/migrant sex workers.



## Differentiating between Sex Work and Human Trafficking

Human trafficking is often confused with other issues including youth sexual exploitation and sex work. This illustration differentiates sex work and human trafficking by using a continuum of choice to represent different types of sexual exchange.



*©BC Coalition for Experiential Communities (2009). 2015 version by Kerry Porth.*

## Differentiating between Exploitation and Human Trafficking

Exploitation can be separate from human trafficking and can occur in any industry. Exploitative and/or abusive working conditions exist in many under-regulated working environments, especially in the informal sectors; it is very difficult, if not impossible, to improve exploitative or abusive or unsafe working conditions where the workers themselves face criminal or immigration-related penalties for their work.<sup>29</sup>

Types of exploitation that can occur in the sex industry include:

- Non-payment
- Poor working conditions (unsafe/unhygienic)
- Threats to report workers to law enforcement
- Threats to disclose one's sex work status publically or to one's family
- Inability to refuse risky clients and/or risky services

- Domestic violence in personal relationships and the fear of public disclosure of sex work especially in child custody matters
- Pressure to accept social services or ‘rescue’ interventions to avoid sex work-related arrests, charges and convictions

This is not an exhaustive list nor is it representative of the sex industry; these are simply examples of exploitation that some of the women SWAN supports have disclosed to SWAN. Exploitation can occur in the sex industry, just like in any other industry, but exploitation in and of itself does *not* mean human trafficking since human trafficking also minimally involves deception and/or coercion (see figure on page 10). We encourage you to differentiate between exploitation and human trafficking and to be mindful of where labels of human trafficking are being applied. For example, a worker at a retail store who works overtime without compensation would likely not be labeled a human trafficking victim.

*“I don’t know how many women are actually using that language: trafficking, trafficker. She may very well be in an exploitative situation with either an owner of a massage parlour or a manager or a boyfriend or something. So even if she’s being exploited that doesn’t necessarily mean she’s being trafficked. And I think it’s very important to make that distinction.” – Focus Group Participant*

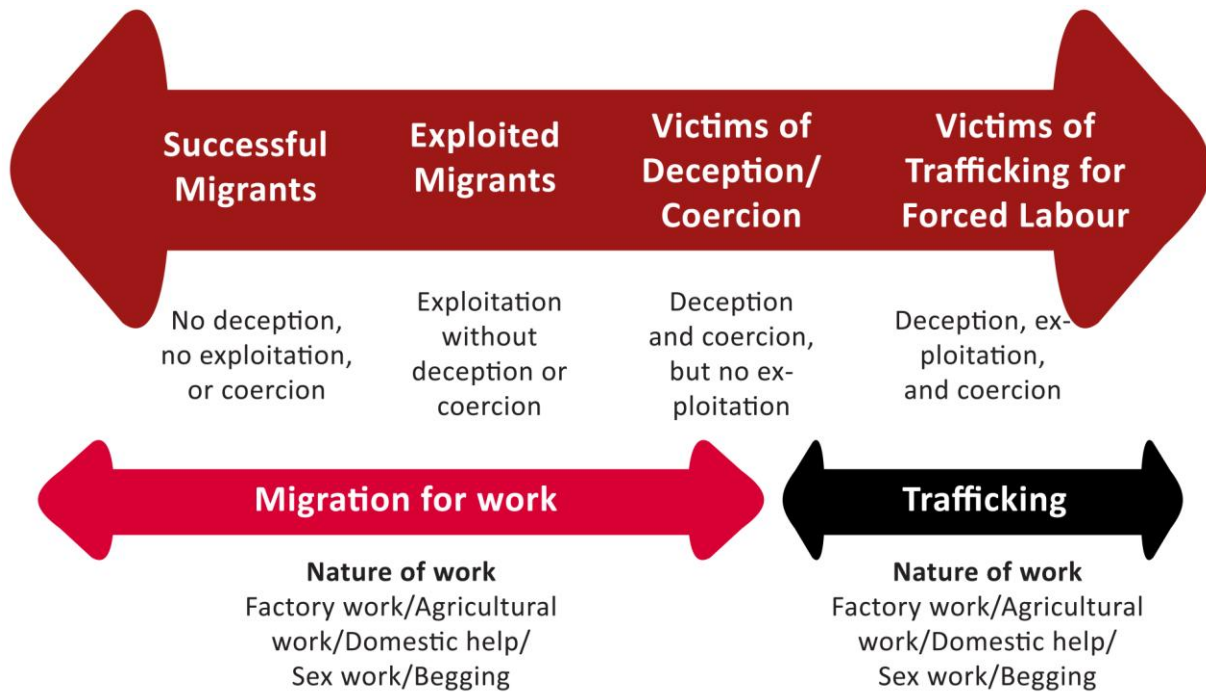
Despite the fact that exploitation can happen in any industry, like other informal work sectors, there are factors that can mean less recourse for sex workers and less accountability for those who exploit and/or abuse them:

- Lack of a governing body to negotiate or defend sex worker labour rights
- Inability to report exploitation due to the criminalized nature of sex work
- Stigma and criminalization of sex work leads to fears of public disclosure which can be used against sex workers
- Exclusion from federal and provincial employment standards legislation resulting in no access to:
  - Health benefits
  - Parental or family leave
  - Retirement plans
  - Vacation pay

## Differentiating between Human Trafficking and Migration for Work

Anti-trafficking discourse rarely distinguishes between migration for work and human trafficking. The continuum below demonstrates that the differences between the two lie in the conditions of movement and work, but also shows that the nature of work for both migration and trafficking are similar.

## Continuum of Movement for Work<sup>30</sup>



## Im/Migrant Sex Workers in Canada

### Public Perception #1: Im/migrant Sex Workers are Victims

Sex workers are a diverse group of people who are often generalized despite vastly different experiences. This is especially true for those most often referred to as 'migrant sex workers'. In popular media representations, migrant sex workers are often perceived as forced into sex work against their will. Narratives about traffickers luring women and girls into Canada with false job promises, taking their passports and threatening their families back home are frequently repeated.<sup>31</sup> The underlying motivations for their travel and/or migration status in Canada are not addressed. Their ability to make decisions for themselves is ignored and they are labeled as powerless victims with low self-esteem that are forced or deceived into providing sexual services.<sup>32</sup>

### Public Perception #2: Im/migrant Sex Workers are Criminals

If not perceived as victims, then im/migrant sex workers are often perceived as criminals. These women are regularly subjected to heavy scrutiny and surveillance by law enforcement and other governmental agencies. When law enforcement raids occur at indoor sex work sites with the expressed intention of finding and helping victims, the women working at these sites are often treated as criminals with little thought given to the consequences of these enforcement actions and their impact on the women or the business they work in. A recent example of this occurred in Ottawa in May 2015 when Ottawa police

launched a “human trafficking investigation” into commercial massage parlours and body rub facilities. Despite the intention to find victims of human trafficking, none were found and instead, 11 women were detained and deported by Canada Border Services Agency for working without a valid permit.<sup>33</sup> One reader of an article that covered this story commented on the article saying, “they are breaking the law by coming here illegally. Why should women get a free pass to break the law simply because they’re ‘vulnerable’?”<sup>34</sup> SWAN rarely comes across im/migrant women working in sex work that are truly undocumented, i.e. that are not naturalized citizens, permanent residents, or in the country on some sort of valid visa (e.g. visitor, student). Most often, the women have migrated to Canada through legal channels, but are later made ‘illegal’ due to restrictive immigration policies such as the condition that they not work in the sex industry. Criminalization, detention and deportation render them more vulnerable by forcing them back into the same circumstances that pushed them to migrate to Canada and/or work in sex work in the first place (e.g. situations involving poverty, inequality, discrimination, a lack of education and employment opportunities, violence, and political unrest).

## Im/migrant Sex Workers as Defined by Im/migrant Sex Workers Themselves

“Most people dedicated to assisting victims of human trafficking agree that many of them don’t even identify themselves as victims... they refuse to define their experience in those terms.”<sup>35</sup>

So who has the right to define the experiences of im/migrant sex workers? The victim/criminal dichotomy is so pervasive that it prevents the realities of im/migrant sex workers from being heard or believed.

What we know about im/migrant sex workers as defined by im/migrant sex workers themselves often tells a different story<sup>36</sup>:

- Many are actually Canadian citizens or permanent residents.<sup>37</sup> For those that are here temporarily, most of them arrive through legal means (e.g. student or work visas) but are made illegal through restrictive immigration policies.<sup>38</sup>
- Reasons for moving to Canada may be due to issues in their home country (e.g. low income, inequality and discrimination, a lack of employment opportunities)<sup>39</sup>.
- Many do this work because they lack options to support themselves and their families in the Canadian labour market, especially because of non-recognition of educational credentials and/or work experience from other countries.<sup>40</sup>
- Many are single mothers who work to support their children and families.<sup>41</sup>
- Most make more than minimum wage based on daily average income.<sup>42</sup>
- The majority practice safer sex and would seek out medical attention if worried about an STI.<sup>43</sup>
- The majority are at least 21 years old, with many working in their 40s and older.<sup>44</sup>
- The most common form of victimization they report is from clients and/or law enforcement.<sup>45</sup>
- Many rely on information and support from peer networks to remain resilient in the face of punitive law enforcement strategies and victimization by law enforcement, clients or intimate partners.<sup>46</sup>

*“I think the women are the opposite of who the trafficking victim is represented to be and who migrant and immigrant sex workers are represented to be, i.e. passive, subservient, uneducated, backwards, unable to speak for themselves [...]. They’re actually the opposite of that. They’re go getters. Despite all the barriers that they have in the Canadian labor market, they still find a way to provide for their families.” – Focus Group Participant*

The women SWAN supports do sex work for a variety of reasons, but a common feature is that they all want to make a living like everyone else. Some women come to Canada with previous sex work experience in their country of origin, but some don’t. Some come to work temporarily and may pay a third party to facilitate their travel and work arrangements, given increasingly restrictive immigration policies. Others face barriers to the mainstream Canadian labour market such as Canadian-recognized education credentials, Canadian work experience and/or language proficiency. In these situations, sex work may be perceived as the most viable employment option. Many of the women we support are mothers who value the flexibility of a job that allows them to spend more time with and to financially support their children.

*“Because most anti-sex work, anti-trafficking activists come from a place of privilege and it’s hard for them to see that a marginalized sex worker could have some agency. So it’s hard for them to give up that ideal or to see beyond that place of privilege.” – Focus Group Participant*

*“They can’t participate in the formal economy, they can’t go to school, they don’t have the financial resources, and there are certain places where food banks won’t take them without documentation. At what point is this person going to say, okay I need to feed my kids [...] so women make choices. Maybe somebody would do something else if they wanted to. A lot of people wouldn’t because this is how they exercise their agency. They’re able to feed their kids. They’re able to go to work. They’re proud of who they are and yet they’re completely ignored from discourse or they’re just marginalized as people who don’t really have options.” – Focus Group Participant*

## How are the Women SWAN Supports Harmed by Anti-Trafficking Discourse?

*“...anti-traffickers may think that to allow sex work to happen means to allow trafficking to happen as if to support sex workers means to support trafficking.” –Focus Group Participant*

The focus groups identified harms to im/migrant women who work in the sex work sector in three key areas:

### Workplace Raids by Law Enforcement

The greatest harm of workplace raids or the potential of raids by police, CBSA and/or bylaw enforcement is the fear of law enforcement. This fear can subsequently result in the following:

- Feelings of trauma and victimization
- Reluctance to report violence/victimization when it does happen
- Displacement of sex workers into more clandestine venues
- Worry about where their recorded information is going
- Loss of trust for all outsiders, including organizations like SWAN
- Apprehension to keep safer sex supplies on site

*“They’re [the women] more victimized by the raids and police treatment and attitudes than they are anywhere else really.” – Focus Group Participant*

*“It [a raid] completely shakes their working environment, not just from the management level but all the way down. For example, a massage parlor was raided [...] and as a result, workers were laid off or fired because they disclosed information to the police. The desk worker was traumatized. The manager changed... for a while she was saying that as a result of the raid, they weren’t offering full service and that we weren’t allowed to bring in condoms and that women had to keep their condoms off site.” – Focus Group Participant*

These harms appear to outweigh the benefits of raids as victims of trafficking are rarely discovered through these means. In Metro Vancouver, the most obvious example is the 2006 raids of 18 Asian massage parlours that aimed to identify victims of trafficking. Instead, none of the 78 women arrested were reported to have been trafficked.<sup>47</sup>

## Stigma

Stigma is a direct result of the conceptualization of im/migrant sex workers as either victims or criminals. A woman is often unable to seek services without assumptions or questions regarding whether she is ‘forced’. Stigma and intrusive questioning that explore a woman’s experiences in sex work are major barriers to im/migrant sex workers accessing services such as health care. Stigma also contributes to feelings of isolation in Canadian society.

*“It’s like just because they do sex work; their entire personhood is called into question and denied. They don’t have the same protection, or respect, or rights or anything in these realms that the next person would just because they do sex work.” – Focus Group Participant*

## Funding

SWAN operates on very little funding, and has done so for over 10 years. In 2014, SWAN did a discourse analysis of human trafficking funding applications developed by two major Canadian anti-trafficking funders. Due to the ideological bias in the applications, SWAN found that it is highly probable that only anti-sex work organizations would be eligible to receive funding.<sup>48</sup> We found that funding goes to organizations that aim to abolish sex work through criminalization, which as evidence suggests, creates

more harms than benefits.<sup>49</sup> This begs the question, whose voices are being amplified and whose voices are being silenced by this anti-trafficking funding? Often these funded organizations ignore the realities of im/migrant sex workers as they do not work directly with them. This ignorance contributes to stigma and allows the supporting of workplace raids to ‘rescue’ purported victims.

*“So the funding streams that are available do not allow for a representation of the women as we understand the women to be. The funding streams are only for organizations that write in their funding applications, yes we are supporting 100-200 trafficked women per year and yes all the women are trafficked in massage parlours and things like that. So that’s how those campaigns affect us as an organization because it reduces our ability to be able to provide services in the first place because we don’t adhere to that discourse that’s perpetuated in those campaigns.” – Focus Group Participant*

Limited resources restrict SWAN’s capacity to challenge the problematic ways in which human trafficking is talked about and limits our ability to deliver direct services to im/migrant sex workers.

## Human Trafficking Indicators and the Problem with ‘Red Flags’

Many organizations have developed lists of situational ‘red flags’ that may suggest a case of human trafficking (e.g. fear of authorities, inability to speak English) and recommend that the presence of one or more of these indicators suggests human trafficking is occurring.<sup>50, 51, 52, 53</sup> It is unclear the extent to which these indicators are based on actual empirical evidence of human trafficking. Also, there are potential harmful effects for im/migrant women that are directly related to the unquestioning acceptance and promotion of these as indicators, particularly when neglecting to consider the many alternative possibilities these ‘red flags’ may represent.

To put this into perspective, if you go to the doctor with a headache, and he/she tells you that a headache is an indicator of brain cancer without giving any alternative conditions, would that be responsible health care? In this instance, it would be unacceptable to jump to conclusions without adequate evidence. What makes assessing a person for signs of human trafficking any different?

We understand that for some service providers, checklists are useful tools in assessing a client, a patient and/or a situation. However, checklists designed to identify victims of human trafficking can be particularly problematic when they are developed based on assumptions rather than empirical evidence and that prevent im/migrant sex workers from truly being heard. If a service provider filters an im/migrant sex worker’s story through a trafficking red flag checklist, it may leave little or no space for the woman to represent herself and her story can become wildly distorted through this imposed interpretive lens. Furthermore, while service providers are becoming more mindful not to attach stigmatizing labels to clients or patients (e.g. frequent flyer, junkie), there is less mindfulness that the ‘trafficked’ label can also be stigmatizing. It can create barriers to accessing services when a service provider is not able to see a woman as she perceives herself to be, which can result in missed opportunities for meeting im/migrant sex workers’ needs.

At SWAN, we are aware of many other possible meanings for these indicators based on more than a decade of experience working with im/migrant sex workers who are often perceived to be trafficked. These other possible meanings were discussed in the *Palermo Project* focus groups where the unacknowledged role and complex interplay of gender, race, ethnicity, language and culture in establishing perceived red flags was also raised; that is, it is not always the red flag itself that indicates risk but *who* the indicator is applied to. For example, when a number of non-White, and especially Asian, sex workers who speak accented English work together, this work situation may be perceived as a case of trafficking whereas the same conclusion may not be drawn from a group of White, Canadian-born sex workers.

*“I think racism does come into play because police go into massage parlors where they know Asian women are working expecting to find migrants that are illegal.” – Focus Group Participant*

*“I think it is really just like they watched a movie on human trafficking and took notes. Oh there’s dark windows, there’s metal bars over there, oh they’re all the same nationality – those must be all the indications that someone is trafficked. But even in the movies or whatever, all those “indicators” would also apply to a Caucasian parlor as well. So let’s say there’s all Caucasian girls working there, and all male clientele and there are bars and surveillance because they’re worried about safety and they distrust authority because of how they have been treated by authority. Would they still think of those women as being trafficked? Probably not nearly as much.” – Focus Group Participant*



<b>Red Flags Found in Popular Human Trafficking Toolkits</b>	<b>Put yourself in the shoes of an im/migrant sex worker and consider this...</b>
Distrust/fear of authority	You are a woman with limited English skills and you are confronted by a large uniformed police officer. You are also aware that some police officers are more likely to target people of color. How would you feel?
Fear of revealing immigration status	You are in the process of applying for Permanent Residency. Do you think your line of work could impact your application?
Does not speak English/French and/or experiences language barriers	You live in an area heavily populated with people from your native country. Even business signs are in your native tongue. What motivation is there to learn English or French if you can get by without?
Allowing others to speak on one's behalf, even when directly addressed	You are trying to navigate the complex health care system in Canada and are not confident doing so in English. Would someone with more experience and language capabilities be helpful to you?
Working excessively long hours over periods	You get paid on a per-client basis, not hourly. If business is slow, would you think about staying longer in the workplace to optimize the number of clients you can see?
No access to medical care	As a newcomer to Canada, you do not qualify for health insurance yet and medical bills can be expensive. Do you have the money to pay?
Indoor sex venue mainly has women of the same nationality working there	In order to reduce isolation in a foreign country, would you seek workplaces where you can effectively communicate with and relate to your fellow employees?
Fee for transport and living quarters arranged for in country of destination	The process of migrating to a new country is not easy, especially with a language barrier. Is it convenient to get an agent to help you set up your new life?

As you can see, there is often more than meets the eye when it comes to the experiences of im/migrant sex workers.

*“I think it’s safe to say that so far in our work, we haven’t seen any indicators or any signs that would point to human trafficking.” – Focus Group Participant*

## Moving Towards Ethical Anti-Trafficking Initiatives & Support Services<sup>54</sup>

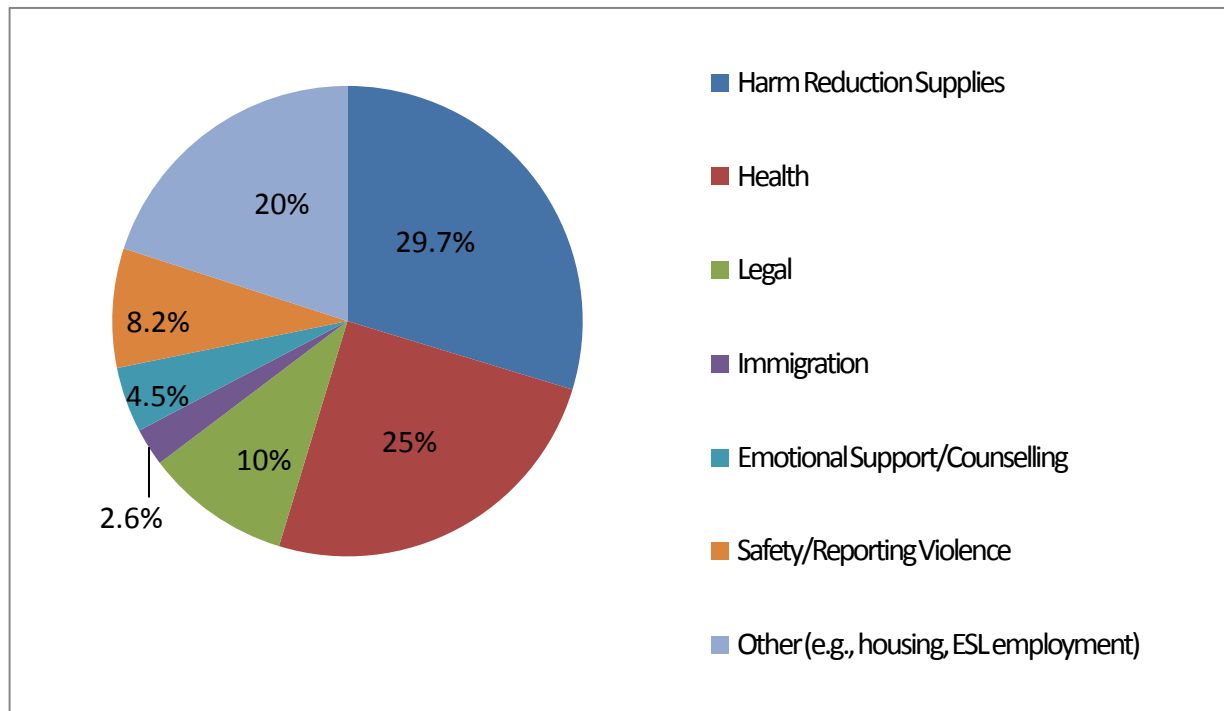
Being knowledgeable about the impacts of the dominant trafficking discourse on im/migrant sex workers and learning about their actual needs can allow for more ethical and responsible anti-trafficking and also sex work responses.

### What Im/Migrant Sex Workers Need

Needs	How are their needs not being met?
Access to non-discriminatory health care	In a 2013 study, occupational sex work stigma remained independently associated with a higher likelihood of experiencing barriers to health access. <sup>55</sup>
Access to language-specific legal rights information	There is a lot of confusion and lack of knowledge about Canada’s laws, especially with the recent implementation of <i>The Protection of Communities and Exploited Persons Act</i> <sup>56</sup> . Women are often more concerned about evading law enforcement than becoming knowledgeable on the specifics of the law. <sup>57</sup>
The ability to report violence and victimization to law enforcement without fear of arrest or detention	In a recent study examining migrant sex workers, 95% of participants said they would not contact law enforcement if they needed assistance. <sup>58</sup>
The ability to define their own experiences without assumptions and stigma	“I want to come out of hiding and be respected for the work I do and the person I am [...] We give love, tolerance, acceptance and understanding to society that has nothing of the sort for us.” <sup>59</sup>

*“Access to culturally appropriate services in the language of the person. Typically when policy makers think of what sex workers need, they think of the needs of the street based, survival sex workers – so that may be addictions services, mental health services, housing services to address homelessness and things like that and those are rarely, if ever the needs that are expressed to us [...] I think the greatest need would be access to non-judgmental health and social services and then that comes back to the education piece of understanding, particularly Asian sex workers, in a different way. Letting them tell their own stories and letting them define who they are, they themselves are. Which is rarely ever done.” – Focus Group Participant*

## Requests SWAN received from June 2014 – June 2015



Requests for Exiting Services: 1

Requests for Human Trafficking Information, Resource and/or Support: 0

## What Does All This Mean For You As A Member of the General Public?

Mainstream media, large anti-trafficking organizations and the government are guilty of perpetuating uncritical and misguided anti-trafficking discourses. It is easy to understand why people from the general public jump to supporting this well-marketed cause; most want to do their part to prevent women and children from suffering. With the general public largely unaware of the complexities of anti-trafficking discourse and its equation of trafficking and sex work, their intentions are generally good when supporting anti-trafficking initiatives. However the more misinformed initiatives are supported, the more powerful they become and the more harm they inflict.

### 13 Ways the General Public Can Help Address the Needs of Im/Migrant Sex Workers

1. Take time to self-reflect. What are your personal morals and beliefs about sex? Do your morals and beliefs about sex affect the way you perceive sex work and sex workers? Do these morals and beliefs

motivate your involvement in anti-trafficking campaigns? Are you projecting your personal belief system about sex on sex workers you may have never met?

2. Carefully examine the information that is released in anti-trafficking campaigns by the media, non-governmental organizations and even the government. What is the goal of the campaign? Who has funded the campaign? What organizations support the campaign? For example, is the objective to stop trafficking or to stop sex work?
3. Question sources of information. If you see a statistic, look into where it came from. Is it from a reputable source? Is it a direct source, or a secondary source? Does the information cited even exist in the source provided? When was the research conducted? Who were the participants?
4. Think deeply about the difference between sex work and human trafficking. How do you personally define “sex work” and “human trafficking” and how did you gain this understanding? Familiarize yourself with different types of sexual exchange by examining the Continuum of Choice found in our advocacy toolkit.
5. Be careful not to confuse human trafficking with other types of victimization. Issues such domestic violence, youth sexual exploitation and child abuse are being labeled as human trafficking. While these forms of victimization are equally as horrible, it is important to distinguish so true victims of human trafficking can be found and helped.
6. Question the agenda of organizations who focus only on sex trafficking. Is there a reason why they don’t focus on or include labour exploitation? What is their stance on sex work? Are they supporting the criminalization of sex workers or sex workers’ clients? Are they attempting to push this agenda under the disguise of human trafficking?
7. Question celebrity endorsements of and participation in anti-trafficking initiatives, especially if these celebrities are dealing directly with individuals who have been trafficked. Do they have the clinical expertise and knowledge of human trafficking and/or victimization to support victims of human trafficking? Is it ethical and responsible to have celebrities doing the work of clinicians and social workers?
8. Examine the involvement of faith-based organizations in anti-trafficking initiatives. Is their involvement based solely on their religious and moral beliefs? Be able to discern whether the financial ask is a fundraising effort that promotes an anti-sex work, anti-immigrant agenda or if the work that is being carried out actually addresses the root causes of human trafficking or is truly a person-centered initiative.
9. Be reflective and critical of how anti-trafficking campaigns attempt to sensationalize stories and pull at your heart strings in order to garner more financial contributions.
10. Consider how the re-telling of stories by victims of human trafficking or other forms of exploitation can further re-victimize the storyteller. Is this an ethical way to gain financial support?
11. Consider the alternative possibilities to human trafficking that ‘red flag’ indicators might represent. Do not jump to conclusions if you see a red flag. Listen to what the person has to say and do not make assumptions based on what you have been told is an indicator of human trafficking.
12. Be mindful of assumptions made based on race. Understand that stereotypes such as ‘Asian women are passive, docile and subservient’ might be skewing your perception of im/migrant sex workers.

For example, can you accept that some racialized sex workers may knowingly exercise their agency to travel to Canada to do sex work much the same as migrant women in other employment sectors?

13. Talk about the problems with anti-trafficking discourse, campaigns and organizations! Challenge the discourse with the information presented in this toolkit. The more the dominant trafficking discourse is challenged, the less influential and subsequently less harmful it will become.

## What Does All This Mean For You As A Health Care Provider?

Stigma, embarrassment, and fear of releasing personal information are all barriers to im/migrant sex workers' access to health care. These barriers can be addressed through non-judgmental and non-intrusive service provision and careful management of health information. While we acknowledge that no one is truly 'non-judgmental', we emphasize the importance of being aware of one's perceptions and understandings of sex work and how those may affect the provision of health services.

*"We've met service providers who feel the need to ask questions that are not part of their job despite the fact that they're in a profession where the central motto is do no harm, because they feel like they have the capacity to help someone that they cannot consider would have the ability to help themselves." –Focus Group Participant*

## 10 Ways a Health Care Provider Can Meet the Needs of Im/Migrant Sex Workers

1. Be aware of any stigma you may have against sex work. Be conscious of how this stigma might influence the questions you ask or the things you say. For example, if you believe that no one would choose to be a sex worker, you may speak in a pitying tone that you would not normally use with other patients.
2. Be aware of any anti-immigrant sentiments or judgments grounded in race that you might have. For example, feeling that migrant women should be deported and /or understanding Asian women through the racist lens of passivity and docility can lead to assumptions about their capability.
3. Avoid assumptions about a woman's situation, especially based on the dominant human trafficking discourse. As this toolkit presents, many trafficking 'red flags' can mean other things entirely.
4. Be aware of how 'small talk' can cause anxiety. For example, you may think you are starting a friendly conversation or building rapport by asking a woman where she is from or how long she has been in Canada. These types of questions can cause anxiety for migrant workers who may fear the information can make its way to immigration authorities.
5. Be mindful of questions that force sex workers to be dishonest about their health. Asking a sex worker, "How many sexual partners do you have?" might result in a false response and make the woman unnecessarily uncomfortable. Instead ask less intrusive questions like, "Is there anyone with whom you have unprotected sex?"

6. Consider possible previous negative interactions with health care providers and how that might affect the present interaction.
7. Be cognizant of how your documentation can be unsafe. Document only what is necessary to complete a health request. Think critically about why it is necessary to label a woman a 'sex worker' in her file and what you are trying to communicate by using this label. Consider consequences this may have between her and other healthcare providers in the future.
8. Use the least intrusive means for collecting information. Only ask questions that are necessary for the health service requested. Provide only the services that are requested by a woman unless a pressing issue arises from the appointment. If a woman comes to see you about a sore back, she has not come to see you for an STI test; therefore it is not necessary to suggest one.
9. Be mindful of voyeurism. If you have a question about sex work and/or the industry, contact SWAN or refer to sex work research.
10. Be mindful of cultural differences and/or language barriers. If an interpreter is not present, try to use simple terms over complex medical terms. If an interpreter is present, understand that an appointment may take longer to complete. Please be patient with the process.

## What Does All This Mean For You As A Police Officer?

Sex workers are often isolated because of the criminalized nature of their work-related relationships and clients. You as a police officer may be one of the only people outside of the sex industry with whom they come into contact. By being aware of how you can help, sex workers will be more likely to seek your assistance if they experience violence or victimization.

## 12 Ways a Police Officer Can Help Address the Needs of Im/Migrant Sex Workers<sup>60</sup>

1. Have a reason to visit an indoor venue and be aware of the consequences of casual visits (e.g. fear of keeping condoms on the premises, fear of police which can lead to the underreporting violence when it actually happens). Be as transparent as possible about the reason for a visit. If women are not aware of your reason to visit, they may assume that you are there to criminalize or penalize them.
2. Be cognizant of im/migrant sex worker stereotypes and misinformation. Do not assume an im/migrant sex worker is forced into doing sex work. Do not assume that a non-White worker is an immigrant or migrant. Do not ask her if she is forced unless you observe legitimate evidence to support the question. Consider what may be influencing a question such as "are you forced?" Are misguided anti-trafficking campaigns causing you to ask that question? Are Hollywood movies creating perceptions that all im/migrant sex workers are trafficked? Consider whether you would walk into other businesses and ask im/migrant workers "are you forced?"
3. Remember that you are not the morality police. Do not treat women or their clients in a paternalistic way. When you make comments such as, "You're too good to be doing this" or,

“What do you really want to be doing with your life?” you are contributing to the shame and stigma associated with sex work.

4. If possible, provide a business card. Always state your name.
5. Use interactions as an opportunity to inform sex workers that the purpose of the new prostitution laws, the *Protection of Community and Exploited Persons Act*, is not to arrest sex workers. Do ask if there is anything of concern they would like to report.
6. Be aware of how your presence as a police officer can be intimidating. The uniform, the equipment you are carrying, and your size relative to the sex worker are all factors. Be aware of your body language, facial expressions and tone of voice.
7. Do not discredit sex workers’ reports as hearsay and assume they are unreliable witnesses because of what they do for a living.
8. Do not confiscate condoms or draw any attention to condoms that may be visible. Sex workers must have access to condoms; unprotected sexual services can have negative impacts on STI and HIV prevention and could contribute to a public health crisis.<sup>61</sup>
9. Use the least intrusive means to resolve situations. Call a sex work support organization such as SWAN to assist in non-emergency situations, especially those that involve community concerns or complaints. Is it necessary to visit an indoor venue in uniform? Consider visiting in plainclothes or in an unmarked car if possible.
10. Do not expect a sex worker to trust you or be thankful. Trust takes time to develop and must be nurtured. Recall that you represent an institution that at times strikes fear in some people’s minds.
11. Due to entrenched sex work stigma, consider that sometimes you should not treat a sex worker just like any other community member. This may seem counterintuitive, but understand that certain actions, even with good intentions, can often have unintended consequences due to sex work stigma. For example, you are doing a follow-up visit to a sex worker’s home in uniform and a marked car to ensure her safety. While the intention to ensure her safety is a good one, showing up at her private residence in uniform and in a marked car can have unfortunate consequences for her. Maybe her family doesn’t know what she does for work. Maybe her landlord overhears your conversation, calls the Ministry of Children and Family Development and/or evicts her for being a sex worker.
12. Show discretion and respect for clients as well as workers. This goes a long way in building relationships with sex workers. Sex workers take note of your ability to distinguish between abusive and non-abusive clients. Nonessential harassment of good clients drives away business and creates barriers between you and sex workers.

## What Does All This Mean For You As A Municipal Bylaws Enforcement Officer?

Under new federal legislation, sex workers who work independently, for the most part, are not criminalized. However women working in licensed indoor venues continue to be criminalized through

the enforcement of discriminatory bylaws in the form of petty, minor offences that in other work sectors would not be tolerated.<sup>62</sup> Im/migrant sex workers often do not differentiate between bylaw officers and police officers, especially when the two visit together. When im/migrant sex workers are fined for bylaw infractions, they are made to feel like criminals and these enforcement actions can contribute to the displacement of sex workers to more unsafe work environments.<sup>63</sup>

## 5 Ways a Bylaw Enforcement Officer Can Help Address the Needs of Im/Migrant Sex Workers

1. Do not do unnecessary inspections. How often do you visit other businesses to ensure bylaw compliance? If you visit massage parlours more than other businesses, why is that? What may be influencing your decision to do so? Have you seen anti-trafficking campaign ads outside of massage businesses? Have you been told that is your job by your supervisors? Is there a way you can have a conversation with them about whether that is a good use of your time?
2. Identify yourself and provide a business card.
3. If you must visit with a police officer, explain to the women why the police officer is accompanying you.
4. Use situational discretion. For example, if a patron's ID is not checked as soon as they enter the premise, what was the reason? Did the circumstances make it difficult to comply with the bylaw? Were they busy with another client at the time? If someone takes more time than is deemed necessary to open an exterior locked door, could they not have been using the facilities rather than hiding evidence of sex work?
5. Be helpful and suggest ways for managers and workers to better abide by the bylaws.

## What Does All This Mean For You As A CBSA Officer?

We understand that as CBSA officers, it is your duty to enforce the *Immigration and Refugee Protection Act*. We also understand that sometimes you are required to detain undocumented workers. The process of detention can be a traumatic experience. If im/migrant sex workers are not treated with dignity and respect in your interactions with them at their workplaces or when detained, this will add to their distrust of authority and reluctance to call authorities if they experience violence or victimization.

## 5 Ways a CBSA Officer Can Help Address the Needs of Im/Migrant Sex Workers

1. Exercise discretion when it comes to detention. We understand there are certain grounds for detention. If those grounds are not met, what are the alternatives to detention? If a situation is unclear, what steps can you take to gain clarity before rushing to detention?
2. If detention is necessary, provide information to detainees, especially in their own language. Inform them of their rights and what the process will look like.



3. If detention is necessary, allow detainees access to services and NGOs such as SWAN. Provide them with information about who we are and what we do and allow them to call us on their own terms.
4. If you are detaining a woman, allow her to collect her belongings. This can be as simple as allowing her to grab a jacket so that she is not scantily clad or cold.
5. Treat im/migrant sex workers with dignity and respect. Avoid treating them like criminals – it might be possible that they are being exploited or are otherwise in vulnerable situations. Reduce prison-like features like handcuffs and shackles if possible.

## What Does All This Mean For You As An Immigrant Support Worker?

SWAN encourages settlement and immigrant support agency staff to become more knowledgeable about the intersection of immigration and prostitution laws.

### 5 Ways an Immigrant Support Agency Can Help Address the Needs of Im/Migrant Sex Workers

1. Educate yourself and your agency about im/migrant sex work and workers. Read SWAN's publications to get a better understanding of the complexities of im/migrant sex work. Be critical of human trafficking discourse and understand how adopting an approach that identifies a woman as a victim may compromise her agency and right to self-determination. Educate and transfer this knowledge to agency employees and new hires.
2. Avoid assumptions about a woman's situation, especially based on the dominant trafficking discourse. As this toolkit presents, many trafficking 'red flags' can mean other things entirely. Ask open-ended questions and keep an open mind.
3. Be aware of any sex work stigma you may have as well as sex work stigma that may be particularly strong in certain religious and/or cultural communities. Be conscious of how this stigma might influence how you provide services, the questions you ask or the things you say. For example, if you believe that no one would choose to be a sex worker, you may speak in a pitying tone that you would not normally use with other clients. Furthermore, think about the questions you ask – are they relevant to your service provision, or are you just curious about sex work? If the latter, contact SWAN or refer to sex work research.
4. Learn about ways you can provide the best possible employment support to current and former sex workers. There is a lack of resources for im/migrant women working in sex work who wish to change jobs. In addition to general barriers that exist for im/migrants in general (e.g. language barriers, lack of Canadian credentials), current and former sex workers must also address the gaps in their resume that exist because of their time working in the sex industry. Consult with sex work support organizations in your community to learn how to address this barrier to employment.
5. Increase cooperation and communication with other community organizations and resources to help im/migrants settle into their environment. Keep an open line of communication with sex work

support organizations like SWAN. Understand that sex workers are a part of our community and deserve access to resources and services the same as anyone else.

## What Does All This Mean For You As A Member of A Faith-Based Organization?

Faith-based organizations are often heavily involved in philanthropy, especially when it comes to anti-trafficking work, campaigning and fundraising. While intentions may be good, faith-based organizations involved in anti-trafficking initiatives most often inadvertently take an anti-sex work approach to their work that can do greater harm than good.

### 8 Ways a Member of a Faith-Based Organization Can Help Address the Needs of Im/Migrant Sex Workers

1. What are your religion's morals and beliefs regarding sex? Does your faith define 'good' sex from 'bad' sex? Consider how these beliefs may impact how you view sex workers, e. g. Are all sex workers perceived as victims? Criminals? Are 'prostitution' and human trafficking one in the same?
2. Invited speakers sometimes only present an anti-sex work perspective in their anti-trafficking efforts. Would you prefer to be given diverse perspectives so that you can then form your own opinions and approaches to the issue? Does your faith teach you to be accepting of all people?
3. Listen to what sex workers have to say. Do not exclude them from conversations about their lives, work and experiences. Educate yourself about the spectrum of sexual exchange by examining the Continuum of Choice found in our advocacy toolkit.
4. Avoid talking about victims of sex trafficking like they can "do so much better than that" or they "were created for so much more". These statements imply judgment about the sex industry and reinforce stigma and shame.
5. Faith-based groups sometimes rely on individual narratives with shock value to appeal emotionally to potential donors. While the stories of true victims cannot and should not be discounted, is capitalizing off of someone else's exploitation an ethical way to promote an initiative and to receive financial support? Consider how the re-telling of victimization can further re-victimize the storyteller and how these sensationalized narratives can reinforce stereotypes and misconceptions.
6. Examine how your faith-based organization is using money from donations. Are they using it for public awareness campaigns? Are these campaigns based on an evidence-based approach to human trafficking? Is the money going towards direct victim services? Do these victim services attempt to 'rescue' sex workers from the sex industry?
7. Remember that people in Canada enjoy freedom of religion including the freedom to be agnostic or atheist. The people that your organization is trying to help may not share the same religion or be religious at all. Think about how imposing religious beliefs on someone may be inappropriate.
8. When your faith-based group pushes for legislative reform, though most often well-intended, this push can actually hurt those you are trying to help when you are misinformed about their experiences and needs. Please avoid weighing in on policy and/or legislative recommendations

without first consulting with a spectrum of people that are directly affected by these policies and legislation.

## What Does All This Mean For You as a Policy Maker?

As a policy maker, you are the backbone to ensuring im/migrant sex workers' needs are met because you set the foundation for policies that inform service provision, law enforcement, and even funding allocations.

*"I think when you have that much responsibility in society- when you're making laws that affect people's lives in such a way, you have a responsibility to know the other side of the conversation and to listen to it and to have more self-awareness about the harms you are perpetuating in society." – Focus Group Participant*

## 9 Ways Policy Makers Can Help Address the Needs of Im/Migrant Sex Workers

1. Do not equate adult consensual sex work with human trafficking. Educate yourself on the difference, and reach out to sex work support organizations if you need more information.
2. Understand the differences between migration for work and human trafficking.
3. Note that exploitation and human trafficking are not the same and focus on systemic ways exploitation can be prevented without the use of harmful anti-trafficking discourse and policies.
4. When developing policies, consult with community partners such as SWAN who work with the population for which you are creating these policies. Allow a critical perspective on human trafficking to be a part of the discussion.
5. Be cognizant of the harms that are perpetuated by anti-trafficking discourse and how you as a policy maker have the opportunity to curtail those harms.
6. Create policies that are informed by evidence, not by ideology. Also be aware of the politicization of human trafficking in Canada. Use research such as *'The Palermo Protocol & Canada Ten Years On: The Evolution and Human Rights Impacts of Anti-Trafficking Laws in Canada'* to formulate policies that are more representative of what is happening on the ground.
7. Understand that im/migrant sex workers who work indoors have very different needs than street-based sex workers. While street-based workers often need housing, addiction and/or mental health services, im/migrant sex workers rarely, if ever, request these services. Consider im/migrant sex workers in policy discussions about sex work because although street-based sex work is more visible, the majority of sex work occurs indoors.
8. If you have the dual role of policy making and funding allocation, consider how you may inadvertently contribute to the funding of anti-sex work initiatives when funding anti-trafficking trafficking organizations.<sup>64</sup>

9. Do not ignore other social justice realities such as gender inequality, racism, LGBTQ rights, socio-economic reforms, the prison system, im/migrant rights, and mental health because real anti-trafficking work often starts with addressing these issues.

## What Does All This Mean For You As A Researcher?

Sex work, particularly migrant sex work, is a trendy and 'sexy' research topic at the moment, and continues to attract a lot of interest from students, researchers and academics. Despite this, it's unclear how much of this research has benefited sex workers themselves or helped to decriminalize or destigmatize sex work.

### 5 Ways Students, Researchers and Academics can Conduct Respectful and Relevant Research with Im/migrant Sex Workers

1. How are you defining or categorizing im/migrant sex workers? Researchers use different criteria to establish who the 'migrant sex worker' is. Some of these criteria relate to migration status, but researchers also use the category 'migrant sex worker' to refer to sex workers who aren't White, sex workers from non-Western countries, sex workers who speak English with non-Western accents, or sex workers who are perceived to not 'belong' in the country or context they are working in. It's important to be precise in how you define and categorize the 'migrant sex worker' and to reflect on the analytical implications of the criteria you use.
2. Are you equating racial/ethnic/cultural difference with risk or vulnerability? There can be a tendency when researching im/migrant sex workers to strongly link increased risk or vulnerability with being an immigrant or migrant. While it is important to recognize the challenges diverse groups can face, equating social 'difference' solely as a risk/vulnerability factor may end up misrepresenting the experiences of im/migrant sex workers. It is important to remember that im/migrant sex workers exercise a range of capabilities and resources. Risk and vulnerability arise out of context or structural factors such as systemic racism, and are not defining characteristics of particular social groups.
3. Are you asking the appropriate questions? Sex work is understandably an intriguing topic for many, but it is important to avoid voyeurism and the asking of personal or intrusive questions that are not relevant to the issue of sex *work*. If you are researching sex work, do your interview questions focus on *work*? If you have included more personal questions, can you explain why these are included?
4. How will your research be useful or helpful to im/migrant sex workers? Sex work research has produced benefits for researchers, academics, and students such as research funding, career advancement, publications, and an increase in media coverage that comes from researching a 'sexy' topic. Yet what benefits will your research produce for its participants? These can include direct benefits such as honoraria, compensation for time and travel, and/or indirect benefits such as contributing to policy change and respectful and accurate media coverage *if* you take the time and effort to strategically disseminate your findings.
5. Many researchers rely on community and service providers to assist with participant recruitment and data collection. However, community and support organizations may have significant concerns about the impact of research on staff workloads and staff relationships with clients. Given that

support organizations' involvement with sex work issues is likely to outlast the period of a typical research project, researchers need to take the time to establish mutually beneficial research protocols with community organizations. Researchers must remember that community organizations do not exist solely to supply researchers with research participants, and that support from research staff to participants are not intended to replace existing sex work support services/organizations.

Additional resources on ethical issues relevant to research on sex workers:

- 'Dear students of sex work and trafficking' by Laura Agustin: <http://www.lauraagustin.com/dear-students-of-sex-work-and-trafficking>
- 'Research Ethics: A Guide for Community Organizations' by Raven Bowen for PACE Society: [http://www.pace-society.org/wp-content/uploads/2014/04/Community\\_Research\\_Guidelines.pdf](http://www.pace-society.org/wp-content/uploads/2014/04/Community_Research_Guidelines.pdf)
- 'When Researchers Come Calling': [http://bccewh.bc.ca/wp-content/uploads/2012/05/2009\\_WhenResearchersComeCalling.pdf](http://bccewh.bc.ca/wp-content/uploads/2012/05/2009_WhenResearchersComeCalling.pdf)

## What Does All This Mean For You As The Media?

Sensational human trafficking stories with shocking headlines abound. While these stories may draw in readers, im/migrant sex workers are harmed by non-evidence based human trafficking discourses. Accuracy, objectivity, freedom from bias, integrity, and respect are journalistic principles that must be applied to sex work and human trafficking stories. The media should not contribute to the harms and stigma im/migrant sex workers experience.

## 8 Ways the Media Can Responsibly Report on Issues Related to Im/migrant Sex Workers

1. Use the terms 'sex work' or 'sex workers' as these are the terms preferred by sex workers. Other terms such as hooker, prostitute or prostituted woman are judgmental, stigmatizing and outdated. Using respectful language is just not semantics - it shapes public attitudes about sex work.
2. Learn the difference between human trafficking, smuggling, and sex work. Often these three terms are used interchangeably and confuse a number of issues such as trafficking and migration for work, trafficking and smuggling, trafficking and sex work. Conflating these terms creates skewed public perceptions and has very real consequences for im/migrant sex workers.
3. If media only report on law enforcement raids on indoor sex work sites (where primarily im/migrant women work) and only when human trafficking charges are laid and not when they are dismissed, it can create a false impression that the prevalence of trafficking is much greater than it is. Whenever possible, follow up on initial reports and report back on the well-being of the women, whether they have been arrested or deported, or whether charges go to trial.
4. Choose photographs carefully. Select photos that are relevant to the story. Often the same stock photos of street-based sex workers are used despite the content of the story. Using mismatched street-based photos fails to capture the diversity of the sex work sector including sex work among im/migrant women.
5. Think deeply about the use of the words 'high risk lifestyle'. What does this phrase infer? Many occupations can be 'high risk' such as policing or firefighting, yet often only sex work is referred to in

this way. This term can pathologize or blame sex workers when they experience violence or exploitation. It also fails to consider systemic factors that contribute to violence and exploitation such as legislation that criminalizes sex workers and prevents them from working safely.

6. Do not forgo journalistic ethics for sensational headlines and salacious content. While sex work-related stories can be 'sexy' and draw in readers, consider who the stories are about. Sex workers are real people who sometimes face challenging circumstances. Do not neglect the subject for the reader. It is the media's responsibility to bring forward a comprehensive look at all dimensions of the story.
7. Ask im/migrant sex workers for their input if it can be done in a safe, confidential and respectful manner (e.g. avoid voyeurism and intrusive, personal questions about the work; allow the woman to tell you only what she is comfortable disclosing). While it is inconceivable not to go to the source for other types of media coverage, journalists may think they can save time by finding people who speak *for* sex workers. Critically assess who is speaking for sex workers. Only sex workers themselves can truly speak to their experiences.
8. Verify human trafficking statistics whenever possible.

For more information, see

<http://sexworkersproject.org/media-toolkit/downloads/SexWorkAndHumanRightsMediaToolkit.pdf>

## In Closing

We hope that the information presented in this toolkit contributes to a more critical and thoughtful understanding of human trafficking that can be reflected in your work as a person who comes into contact with im/migrant sex workers, the organizations and campaigns you decide to support and the ways you perceive im/migrant sex workers.

If you have any questions about the toolkit, please feel free to contact SWAN at 604-719-6343 or [info@swanvancouver.ca](mailto:info@swanvancouver.ca).

## References

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<sup>1</sup> It is not always clear how the term im/migrant sex worker is defined. Some may understand the term “migrant sex worker” to mean sex workers who are not citizens or permanent residents who are here on temporary visas or are undocumented. In this case, we use the term “im/migrant sex worker” to anyone who has travelled to Canada and now works in sex work (including individuals who have since gained citizenship or permanent residency and those that are here temporarily).

<sup>2</sup> The focus groups were facilitated using unstructured guides created collaboratively by SWAN and the researchers. After receiving permission from the participants, the focus group sessions were audio-recorded, transcribed and coded into dominant themes.

<sup>3</sup> Chuang, J.A. (2014). Exploitation creep and the unmaking of human trafficking law. *American Society of International Law*, 108(4), 609-649. Doi: 10.5305/amerjintlaw.108.4.0609

<sup>4</sup> Godziak, E.M., & Bump, M. N. (2008). Data research on human trafficking: Bibliography of research-based literature. Retrieved from <https://www.ncjrs.gov/pdffiles1/nij/grants/224392.pdf>

<sup>5</sup> Chuang, J.A. (2014). Exploitation creep and the unmaking of human trafficking law. *American Society of International Law*, 108(4), 609-649. Doi: 10.5305/amerjintlaw.108.4.0609

<sup>6</sup> Agustin, L. (2012, July 12). *The age of women who sell sex: Does Kristof lie? What about the children?* Retrieved from <http://www.lauraagustin.com/category/colonialism/page/2>

<sup>7</sup> Vancouver Rape Relief and Women’s Shelter. (2010). Vancouver Rape Relief and Women’s Shelter [Brochure]. Vancouver, Canada

[http://www.rapereliefshelter.bc.ca/sites/default/files/imce/brochureFINAL\\_2010.pdf](http://www.rapereliefshelter.bc.ca/sites/default/files/imce/brochureFINAL_2010.pdf)

<sup>8</sup> YMCA Quebec. (2011). *International Initiatives Newsletter*. Retrieved from

[http://www.ymcaquebec.org/data/PDF/Newsletter\\_sexual%20exploitation.pdf](http://www.ymcaquebec.org/data/PDF/Newsletter_sexual%20exploitation.pdf)

<sup>9</sup> Canadian Women’s Foundation. (2014.) *No More: Ending Sex Trafficking in Canada*. Retrieved from <http://canadianwomen.org/sites/canadianwomen.org/files/NO%20MORE.%20Task%20Force%20Report.pdf>

<sup>10</sup> Estes, R.J., & Weiner, N.A. (2001). *The Commercial Sexual Exploitation of Children in the U.S., Canada, and Mexico*. Philadelphia, PA: University of Pennsylvania.

<sup>11</sup> Kiem, E. (2008, November 20). Child sexual exploitation in the USA: Not just a problem for developing nations. *UNICEF*. Retrieved from [http://www.unicef.org/protection/usa\\_46464.html](http://www.unicef.org/protection/usa_46464.html)

<sup>12</sup> End Child Prostitution Child Pornography and Trafficking of Children USA (n.d.). *Statistics*. Retrieved from <http://www.ecpatusa.org/statistics>

<sup>13</sup> Tombo. (2014, July 10). How exploitation happens in the United States. *Not For Sale*. Retrieved from <http://notforsalecampaign.org/stories/2014/07/10/road-exploitation-united-states/>

<sup>14</sup> Estes, R.J., & Weiner, N.A. (2001). *The Commercial Sexual Exploitation of Children in the U.S., Canada, and Mexico*. Philadelphia, PA: University of Pennsylvania.

<sup>15</sup> Kessler, G. (2015, May 28). The bogus claim that 300,000 US children are ‘at risk’ of sexual exploitation. *The Washington Post*. Retrieved from <http://www.washingtonpost.com/blogs/fact-checker/wp/2015/05/28/the-bogus-claim-that-300000-u-s-children-are-at-risk-of-sexual-exploitation/>

<sup>16</sup> Salvation Army. (n.d.). *Human Sex Trafficking in Canada: Frequently Asked Questions*. Retrieved from <http://salvationist.ca/wp-content/uploads/2009/02/Sex-Trafficking-in-Canada-FAQs-rev.pdf>

- 
- <sup>17</sup> Missing Persons Advocacy Network (n.d.). *Human Trafficking*. Retrieved from <http://missingpersonsnetwork.org/human-trafficking/>
- <sup>18</sup> Canada. Parliament. House of Commons. Standing Committee on Justice and Human Rights. (2009). *Evidence*. Meeting 29, June 8. 40<sup>th</sup> Parliament, 2<sup>nd</sup> session. Available: <http://www.parl.gc.ca/HousePublications/Publication.aspx?DocId=3965751&Mode=1&Language=E>
- <sup>19</sup> Barrett, N.A. (n.d.). *An exploration of promising practices in response to human trafficking in Canada*. Retrieved from [http://www.gov.mb.ca/msw/publications/human\\_trafficking.pdf](http://www.gov.mb.ca/msw/publications/human_trafficking.pdf)
- <sup>20</sup> Smith, J. (2014, June 11). Don't Be Fooled by the Pro-Prostitution Lobby. [Letter to the editor]. *Winnipeg Free Press*. Retrieved from <http://www.winnipegfreepress.com/opinion/analysis/dont-be-fooled-by-the-pro-prostitution-lobby-262654711.html?device=mobile>
- <sup>21</sup> Economic Club of Canada. (2015). *Human trafficking happens in Canada – Protect your families and communities*. Retrieved from <http://www.economicclub.ca/events/display/human-trafficking-happens-in-canada--protect-your-families-and-communities>
- <sup>22</sup> This statistic may seem trivial as traffickers will still make money off of their victims. The purpose of challenging this particular statistic is to criticize the mode in which these statistics are produced and question their validity.
- <sup>23</sup> UN General Assembly, Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime, 15 November 2000, available at: <http://www.un-documents.net/uncatoc.htm> [accessed 6 August 2015].
- <sup>24</sup> Immigration and Refugee Protection Act, SC 2001, c 27, [section 118(1)], available at: <http://canlii.ca/t/52gwm> [accessed 6 August 2015].
- <sup>25</sup> Ng was convicted on other immigration and Criminal Code charges. *R. v. Ng* 2007 BCPC 0204, available at: [http://www.unodc.org/res/cld/case-law/can/2008/r\\_v\\_ng\\_html/R.\\_v.\\_Ng\\_2007\\_BCPC.pdf](http://www.unodc.org/res/cld/case-law/can/2008/r_v_ng_html/R._v._Ng_2007_BCPC.pdf) [accessed 6 August 2015].
- <sup>26</sup> Criminal Code, RSC 1985, c C-46, [section 279.01(1)], available at <http://canlii.ca/t/52fkw> [accessed 6 August 2015]. In actuality, there are three primary trafficking in persons offences (trafficking in persons, materially benefitting from trafficking in persons, and withholding or destroying documents in relation to trafficking in persons), each of which is sub-divided into an offence pertaining to whether the person being trafficked is an adult or a minor under the age of eighteen years.
- <sup>27</sup> See Millar & O'Doherty (2015) final report to the BC Law Foundation for more information about the law and its enforcement.
- <sup>28</sup> Law enforcement includes both formal and informal efforts, and involves various groups (RCMP, municipal police, by-law officers, customs officers, immigration officers, and others).
- <sup>29</sup> Global Alliance Against Trafficking in Women. (2007). *Collateral damage: The impact of anti-trafficking measures on human rights around the world*. Retrieved from [http://www.gaatw.org/Collateral%20Damage\\_Final/singlefile\\_CollateralDamagefinal.pdf](http://www.gaatw.org/Collateral%20Damage_Final/singlefile_CollateralDamagefinal.pdf)
- <sup>30</sup> Adapted from the Delphi survey implemented by the International Labour Organization and the European Commission (2009)
- <sup>31</sup> Canadian Women's Foundation. (n.d.). *The facts about sex trafficking in Canada*. Retrieved from <http://www.canadianwomen.org/facts-about-sex-trafficking-in-canada>
- <sup>32</sup> Perrin, B. (2010). *Invisible chains*. Toronto, ON: Penguin Group.



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- <sup>33</sup> CBC News. (2015, May 11). *Sex workers further victimized by deportations, groups say*. Retrieved from <http://www.cbc.ca/m/touch/canada/ottawa/story/1.3069626>
- <sup>34</sup> McIntyre, C. (2015, May 13). Ottawa sex workers caught up in Ottawa sting facing deportation, further exploitation, activists [Online forum comment]. *National Post*. Retrieved from <http://news.nationalpost.com/news/canada/migrant-sex-workers-caught-up-in-ottawa-sting-facing-deportation-further-exploitation-activists>
- <sup>35</sup> Perrin, B. (2010). *Invisible chains*. Toronto, ON: Penguin Group.
- <sup>36</sup> Derived mostly from research to which SWAN has contributed; SWAN researchers are dedicated to ethical research practices and adhere to stringent ethics reviews
- <sup>37</sup> Ham, J. (2015). *Sex work, citizenship and social difference*. (Unpublished doctoral dissertation). Monash University, Melbourne.
- <sup>38</sup> Maynard, R. (2013, May 10). Sex work, migration and anti-trafficking: An interview with Nandita Sharma. *Solidarity across Borders*. Retrieved from <http://www.solidaritycrossborders.org/solidarity-city/solidarity-city-journal/sex-work-migration-and-anti-trafficking-an-interview-with-nandita-sharma>
- <sup>39</sup> Ham, J. (2015). *Chinese sex workers in Toronto and Vancouver*. Retrieved from <http://swanvancouver.ca/wp-content/uploads/2015/05/Chinese-sex-workers-in-Toronto-amp-Vancouver-Ziteng-SWAN-amp-ACSA.pdf>
- <sup>40</sup> GAATW Feminist Participatory Action Research. (2010). *Understanding needs recognizing rights*. Retrieved from [http://www.gaatw.org/FPAR\\_Series/FPAR\\_GAATWIS.2010.pdf](http://www.gaatw.org/FPAR_Series/FPAR_GAATWIS.2010.pdf)
- <sup>41</sup> Ham, J. (2015). *Sex work, citizenship and social difference*. (Unpublished doctoral dissertation). Monash University, Melbourne.
- <sup>42</sup> Ibid.
- <sup>43</sup> Ham, J. (2015). *Chinese sex workers in Toronto and Vancouver*. Retrieved from <http://swanvancouver.ca/wp-content/uploads/2015/05/Chinese-sex-workers-in-Toronto-amp-Vancouver-Ziteng-SWAN-amp-ACSA.pdf>
- <sup>44</sup> Ibid.
- <sup>45</sup> Ibid.
- <sup>46</sup> Ibid.
- <sup>47</sup> Bolan, K. (2006, December 9). 18 massage parlours raided, 100 arrested. *The Vancouver Sun*. Retrieved from <http://www.canada.com/vancouversun/news/story.html?id=431cc5d2-4496-4400-b367-403d9a07a454>
- <sup>48</sup> Clancey, A., Khushrushahi, N., & Ham, J. (2014). Do evidence-based approaches alienate Canadian anti-trafficking funders? *Anti-Trafficking Review*, 3, 87-108. Retrieved from <http://www.antitraffickingreview.org/index.php/atrjournal/article/view/66/85>
- <sup>49</sup> Krusi, A., Pacey, K., Bird, L., Taylor, C., Chettiar, J., Allan, S., Bennett, D., Montaner, J. S., Kerr, T., & Shannon, K. (2014). Criminalization of clients: Reproducing vulnerabilities for violence and poor health among street-based sex workers in Canada – A qualitative study. *British Medical Journal*, 4(6), 1-10. doi: 10.1136/bmjopen-2014-005191
- <sup>50</sup> United Nations Office on Drugs and Crime. (n.d.). *Human trafficking indicators*. Retrieved from [https://www.unodc.org/pdf/HT\\_indicators\\_E\\_LOWRES.pdf](https://www.unodc.org/pdf/HT_indicators_E_LOWRES.pdf)

- 
- <sup>51</sup> Fraser Health. (2014). *Human Trafficking: Help Don't Hinder*. Retrieved from <http://www.fraserhealth.ca/your-care/abuse-assault-and-neglect/Sexual-Assault-and-Violence/about-the-forensic-nursing-service/human-trafficking/>
- <sup>52</sup> The Canadian Council of Churches. (2013). *Human trafficking in Canada: A leadership and learning kit for churches*. Retrieved from [http://www.councilofchurches.ca/wp-content/uploads/2013/12/CCC\\_HumanTraffickingInCanada\\_English2014\\_FINAL.pdf](http://www.councilofchurches.ca/wp-content/uploads/2013/12/CCC_HumanTraffickingInCanada_English2014_FINAL.pdf)
- <sup>53</sup> Hope For Justice. (n.d.). *Spot the signs*. Retrieved from <http://hopeforjustice.org/spot-the-signs/>
- <sup>54</sup> For further reading, see the Global Alliance Against Trafficking in Women's report '*Collateral Damage: The Impact of Anti-Trafficking Measures on Human Rights around the World*. (2007)[http://www.gaatw.org/Collateral%20Damage\\_Final/singlefile\\_CollateralDamagefinal.pdf](http://www.gaatw.org/Collateral%20Damage_Final/singlefile_CollateralDamagefinal.pdf)
- <sup>55</sup> Lazarus, L., Deering, K. N., Nabess, R., Tyndall, M. W., & Shannon, K. (2012). Occupational stigma as a primary barrier to health care for street-based sex workers in Canada. *Cultural Health and Sexuality, 4*(2), 139-150. doi: 10.1080/13691058.2011.628411
- <sup>56</sup> <http://www.justice.gc.ca/eng/rp-pr/other-autre/protect/p1.html>
- <sup>57</sup> Ham, J. (2015). *Sex work, citizenship and social difference*. (Unpublished doctoral dissertation). Monash University, Melbourne.
- <sup>58</sup> Ibid.
- <sup>59</sup> Quote from a migrant sex worker at 'Migrant Sex Workers' Justice and the Trouble with Anti-Trafficking' forum at Ryerson University, May 12, 2015
- <sup>60</sup> Adapted from Living in Community *Curriculum for Change*.
- <sup>61</sup> Human Rights Watch. (2012). *Sex workers at risk: Condoms as evidence of prostitution in four US cities*. Retrieved from [https://www.hrw.org/report/2012/07/19/sex-workers-risk/condoms-evidence-prostitution-four-us-cities?\\_ga=1.196889324.1920651111.1434567549](https://www.hrw.org/report/2012/07/19/sex-workers-risk/condoms-evidence-prostitution-four-us-cities?_ga=1.196889324.1920651111.1434567549)
- <sup>62</sup> Anderson, S., Xi Jia, J., Liu, V., Chatter, J., Krusi, A., Allan, S., Maher, L., & Shannon, K. (2015). Violence prevention and municipal licensing of indoor sex work venues in Greater Vancouver area: Narratives of migrant sex workers, managers and business owners. *Culture, Health & Sexuality, 17*, 7, 825-841. doi: 10.1080/13691058.2015.1008046
- <sup>63</sup> Ibid.
- <sup>64</sup> Clancey, A., Khushrushahi, N., & Ham, J. (2014). Do evidence-based approaches alienate Canadian anti-trafficking funders? *Anti-Trafficking Review, 3*, 87-108. Retrieved from <http://www.antitraffickingreview.org/index.php/atjournal/article/view/66/85>