



**PRESENTATION**

**OF THE**

**DEPARTMENT OF JUSTICE AND CORRECTIONAL SERVICES OF THE**

**CREE NATION GOVERNMENT**

**TO THE**

**SELECT COMMITTEE ON THE SEXUAL EXPLOITATION OF MINORS**

**VAL-D'OR**

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## I. INTRODUCTION

1. The Select Committee on the Sexual Exploitation of Minors (Committee) is developing a portrait of the sexual exploitation of minors in Québec. The focus of the Committee's work is on the **commercial sexual exploitation of minors**. The Committee would like to identify effective measures of fighting sexual exploitation, helping victims cope and supporting them as they rebuild their lives.
2. In its Consultation Paper (October 2019), the Committee recognised that the dynamics of sexual exploitation of Indigenous youth are under-documented and often misunderstood. It also recognises that Indigenous women are overrepresented among victims of exploitation and that those who leave their communities for urban centres are particularly vulnerable to recruitment by procurers.
3. The Committee invited the Department of Justice of the Cree Nation Government (Cree Justice Department) to address the following three points:
  - (a) How can we better promote **denunciation by victims** of procurers and client-abusers?
  - (b) How can we better **meet the needs of victims** of sexual exploitation in the Cree communities of Eeyou Istchee?
  - (c) How can we better **promote the repression** of client-abusers?
4. Before addressing these points, it is important to shed some light on the context that enables the sexual exploitation of Indigenous youth in general and of Cree youth in particular. Measures to address these issues can be more effective if we understand this context and the reasons why Indigenous people, especially women and youth, are so vulnerable to sexual exploitation.

## II. CONTEXT OF SEXUAL EXPLOITATION OF INDIGENOUS YOUTH

### A. THE NUMBERS

5. In its Consultation Paper, the Committee notes that sexual exploitation of youth occurs primarily in urban centres, especially in the Montréal area. However, we suspect that sexual exploitation of youth occurs also in the North, including in smaller urban centers such as Val-d'Or or Chibougamau.
6. Because these activities often take place out of the public view, denunciation and reporting is dependent on the victims, or friends, family or other witnesses, coming forward. Consequently, it is difficult to determine the exact numbers involved and the extent of the phenomenon. Even where numbers are reported, they do not necessarily

paint a complete picture, as many instances of exploitation will remain unreported for a variety of reasons.<sup>1</sup>

7. In its final report, the National Inquiry into Missing and Murdered Indigenous Women and Girls [National Inquiry] devotes an entire section to the sex industry, sexual exploitation, and human trafficking.<sup>2</sup> The National Inquiry based its report and findings on testimonies collected across the country. Many of these testimonies paint a disturbing story that too often reflects the realities of Indigenous youth in Quebec and of some Cree youth in particular. As such, the report and findings of the National Inquiry are highly relevant to the work of this Committee.
8. Speaking about both sexual exploitation and related human trafficking, the National Inquiry noted:

Constructing an accurate picture of the number of Indigenous women, girls, and 2SLGBTQQIA people involved in the sex industry is difficult. Because involvement in the sex industry continues to be stigmatized, and acknowledging one's involvement in the sex industry can increase the risk of criminalization, discrimination, and violence, many people choose not to report information about their involvement. In addition, an unwillingness and lack of effort on the part of many institutions that could help to keep more accurate records about Indigenous women, girls, and 2SLGBTQQIA people and the sex industry contribute to this lack of information. In part, this unwillingness and lack of effort are rooted in a long-standing view that sees those individuals as disposable or unworthy of attention.

[...] Within the context of the hearings, Assistant Commissioner Joanne Crampton of the RCMP explained that one of the biggest challenges that police face in addressing human trafficking is a lack of reliable data about these networks in Canada: "It's difficult to speak about something that we know is an issue when we don't have the data to support it."

[...] Due to the stigma of trafficking, victims may not want to report for many different reasons, including being in physically, economically, and otherwise vulnerable positions, or being threatened by traffickers who use humiliation and intimidation, or drugs and other "anchors," to prevent victims from reporting. In some cases, victims of trafficking may not identify as victims. According to [Assistant Commissioner Joanne Crampton of the RCMP], "A lot of women who are in an exploitative

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<sup>1</sup> NATO Association of Canada (NAOC), *Human trafficking in Canada: A continuous call to action*, May 30, 2017: <http://natoassociation.ca/human-trafficking-in-canada-a-continuous-call-to-action/>.

<sup>2</sup> National Inquiry into Missing and Murdered Indigenous Women and Girls, *Reclaiming Power and Place: The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls* [MMIWG Report], Volume 1a, at pp. 656 to 671.

situation do not recognize that they're in an exploitative situation. So that's where the education needs to take place.”<sup>3</sup>

9. However, what we know is that, wherever sexual exploitation takes place, it too often involves Indigenous women and youth. In its final report, the National Inquiry noted:

Despite these gaps in data collection, organizations working to advocate on behalf of sex worker rights, and those working to address sexual exploitation and trafficking, consistently report that Indigenous women, girls, and 2SLGBTQQIA people make up the majority of those involved in the street-level sex work. They are also more likely than other groups to be targeted for, or to experience, sexual exploitation or trafficking for the purposes of sexual exploitation<sup>4</sup>

10. The likelihood of Indigenous people, particularly Indigenous women, falling victim of violence, sexual exploitation and trafficking is fairly well documented.<sup>5</sup>

11. According to the NATO Association of Canada (NAOC):

More than half of all women trafficked in Canada are identified as Aboriginal and First Nation. The correlation between this phenomenon and the hundreds of missing and murdered indigenous women and girls across Canada presents significant safety and security concerns for all Indigenous people.

[...] In Canada, Aboriginal and First Nation women and girls are overwhelmingly targeted and affected by human trafficking due to widespread and longstanding rates of poverty, crime, high school drop out rates, alcohol and substance abuse, racism, marginalization, and poor living and security conditions on Indigenous reserves. Aboriginal people represent only 4% of the Canadian population while however,

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<sup>3</sup> *Id.*, Volume 1a, at 656 to 658.

<sup>4</sup> *Id.*, Volume 1a, at p. 656.

<sup>5</sup> Diane Veillette et Josée Mensales, *Mon ami... mon agresseur : regards sur la prostitution chez les premières nations et les inuits en milieu urbain*, 2019; Canadian Centre for Justice Statistics, *Victimization of Indigenous People in Canada, 2014* by Jilian Boyce (Ottawa: Juristat, June 2016); Native Women's Association of Canada, *Our spirits are not for sale* (2015); MMIWG Report, Volume 1a, at pp. 656 to 669; Government of British-Columbia, *Traite des femmes et jeunes filles autochtones à des fins d'exploitation sexuelle à l'échelle nationale*: <https://www2.gov.bc.ca/gov/content/justice/criminal-justice/victims-of-crime/human-trafficking/human-trafficking-training-fr/module-2/traite-des-femmes>; CNN Freedom Project – Special Report, Canada's stolen daughters: Sex traffickers target indigenous Canadians, February 23, 2017: <https://www.cnn.com/2016/08/23/world/canada-indigenous-sex-trafficking/index.html>; The Globe and Mail, Police find 16 human-trafficking victims in cross-Canada investigation, October 18, 2016: <https://www.theglobeandmail.com/news/national/32-charged-with-78-offences-in-canada-wide-human-trafficking-probe-police/article32414033/>.

overwhelming accounting for 51% of all women trafficked across Canada.<sup>6</sup>

12. Indigenous women and girls have an overall rate of violent victimization that is twice as high as for Indigenous men and close to three times that of non-Indigenous women.<sup>7</sup> Between 1997 and 2014, there were 71 female sex worker victims of homicide who were identified as Indigenous, representing one in three (34%) of all female victims working in the sex industry.<sup>8</sup>
13. Indigenous women and girls make up the majority of those being subject to domestic sex trafficking in Canada, although Indigenous people only make up approximately 4% of Canada's population.<sup>9</sup>

## **B. THE REASONS**

14. Traffickers, procurers and client-abusers exploit victims' vulnerabilities. Indigenous youth and children fall victim of sexual exploitation and trafficking because they often find themselves in situations of extreme vulnerability.
15. The National Inquiry heard testimonies about the factors that cause people to become involved in the sex industry: "[...] many of the girls and women in the sex industry [...] have experiences of childhood abuse, violence, and trauma, and this may impact their vulnerability to exploitation and trafficking."<sup>10</sup> It also heard testimonies about foster parents normalizing the exchange of "sex" for money and safety by sexually abusing and threatening foster children.<sup>11</sup>
16. For the National Inquiry, reported stories echoed by various witnesses demonstrate a connection between young Indigenous girls' involvement in the child welfare system and sexual exploitation, sex trafficking, and survival/street-level sex work.
17. Indigenous women and youth who leave their communities for urban centres are particularly vulnerable to recruitment by procurers:

The National Inquiry heard several stories from northern or more remote communities, as well, where the absence of services and poor services chronicled elsewhere in this report forced people to head south, where they were subsequently trafficked. Traffickers were cited as targeting group homes, medical travel homes, bus stations, and buses coming from remote communities, as Alaya's story also revealed. In this way, the lack

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<sup>6</sup> *Human trafficking in Canada: A continuous call to action* (NAOC).

<sup>7</sup> *Victimization of Indigenous people*, at p. 3.

<sup>8</sup> Canadian Centre for Justice Statistics, *Prostitution offences in Canada: Statistical Trends* by Christine Rotenberg (Ottawa: Juristat, November 2016) at p. 13.

<sup>9</sup> *Our spirits are not for sale*, at p. 2; MMIWG Report, Volume 1a, at p. 656.

<sup>10</sup> MMIWG Report, Volume 1a, at p. 659.

<sup>11</sup> *Ibid.*

of infrastructure and services in northern and remote communities feeds the sex industry and further exploitation.<sup>12</sup>

18. Many historical and socioeconomic factors have contributed, and continue to contribute today, to the marginalization and vulnerability of Indigenous women and youth.<sup>13</sup>

**Historical and systemic treatment**

19. According to the Report of the Truth and Reconciliation Commission of Canada, the disproportionate victimization of Indigenous people can be explained in part as a result of the way that Indigenous children were treated in residential schools and were denied an environment of positive parenting, worthy community leaders, and a positive sense of identity and self-worth.<sup>14</sup>
20. The legacy of residential schools, combined with centuries of ill-conceived policies and deeply held prejudices, have created an environment and certain realities that leave Indigenous women and children particularly vulnerable to sexual exploitation.
21. In many of the residential schools, physical, emotional, sexual and psychological abuse was commonplace. By the time these children returned home, they arrived having been victimized, with little connection to their families, language or culture, and without the tools and support needed to heal. In many cases, the remoteness of their community made it financially impossible to even return home, and increased their susceptibility to further victimization. Without an ability to heal, these harms often were passed on to the next generation, in a common reality called ‘inter-generational trauma’ or inter-generational impacts. The cycle continues to be perpetuated without proper support and engagement.

**Socioeconomic conditions and housing**

22. Cree youth may end up in urban centres for various reasons. For example:
- (a) Some may have been previously in foster care or group home in the city and once released they do not or cannot return home as they have lost their connection with their community and family support structures;<sup>15</sup>
  - (b) Some may leave their community to escape from a difficult home environment (e.g. poverty, overcrowded housing, substance addictions, physical, sexual, psychological abuse), and they do not have adequate support or services to support a healthy transition into urban environments and to allow healing from harm, victimization or associated addictions;

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<sup>12</sup> MMIWG Report, Volume 1a, at p. 661.

<sup>13</sup> Conseil du statut de la femme, *La prostitution: il est temps d'agir*, Québec : Conseil du statut de la femme, May 2012) at pp. 29 and 47.

<sup>14</sup> Truth and Reconciliation Commission of Canada, *Honouring the Truth, Reconciling for the Future: Summary of the Final Report of the Truth and Reconciliation Commission of Canada* (2015) [TRC Report] at p. 136.

<sup>15</sup> MMIWG Report, Volume 1a, at p. 661.

- (c) Some may be attracted by promises and enticements, including through the Internet or social media, or they were blackmailed into unhealthy situations or environments leading to sexual exploitation and trafficking.
23. The National Inquiry heard from many witnesses about how pimps stay outside group homes, youth detention centres, and bus depots to specifically recruit Indigenous girls. *“In this context, they are preyed upon because they are vulnerable to persuasion and grooming, and can be perceived as easy targets – especially when they are coming from the situation of child welfare.”*<sup>16</sup>
24. Witnesses before the National Inquiry explained how poverty and addiction are factors that make it necessary for Indigenous women to exchange or trade sex to meet their basic needs:
- Many survivors who shared their experience of poverty, homelessness, and violence talked about exchanging sex in order to meet their basic needs for food, housing, clothing, transportation, or other basic items – a practice often referred to as “survival sex work.”<sup>17</sup>
25. On June 14, 2017, the Grand Council of the Crees (Eeyou Istchee) and Cree Nation Government appeared before the Public Inquiry Commission on Relations between Indigenous Peoples and Certain Public Services in Québec (Viens Commission). In their brief to the Commission, they noted that poor living conditions, overcrowded housing, and social and emotional factors can lead Indigenous people to leave their communities for urban centres. They singled out overcrowded and substandard housing in Indigenous communities as one of the main factors that lead some Indigenous people to leave their communities for urban centres where many are at risk of homelessness, violence and abuse. Overcrowded housing creates tension within the family and breeds conditions ripe for physical, sexual and emotional abuse.<sup>18</sup>

### III. QUESTIONS

#### A. HOW CAN WE BETTER PROMOTE DENUNCIATION BY VICTIMS OF PROCURERS AND CLIENT-ABUSERS?

26. As mentioned earlier, traffickers, procurers and client-abusers exploit their victims’ vulnerabilities. For as long as victims remain in a state of vulnerability, it is more difficult for them to denounce their procurers and client-abusers.

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<sup>16</sup> *Id.*, at p. 660.

<sup>17</sup> *Id.*, at p. 661.

<sup>18</sup> Initial Brief of the Grand Council of the Crees (Eeyou Istchee)/Cree Nation Government to the Public Inquiry Commission on Relations Between Indigenous Peoples and Certain Public Services in Québec: Listening, Reconciliation and Progress, June 14, 2017, par. 2-3, 45-47, 51-52, 144-147, 157-159.



27. The National Inquiry noted that, due to the stigma of trafficking, victims may not want to report for many different reasons, including being in physically, economically, and otherwise vulnerable positions, or being threatened by traffickers who use humiliation and intimidation, or drugs and other “anchors,” to prevent victims from reporting.<sup>19</sup> For the same reasons, youth involved in sexual exploitation may be reluctant to denounce their procurers and client-abusers.
28. By the same token, reducing the vulnerability of those involved, or susceptible to become involved, will promote denunciation of their abusers and potential abusers. Reducing vulnerability involves:
  - (a) Helping victims, potential victims and others recognise and denounce an exploitative relationship;
  - (b) Providing a safe and supportive environment for victims to come forward and reaching out to them; and
  - (c) Empowering young people so they can avoid falling victims or so they can break away from an exploitative relationship.

**Recognising an exploitative relationship**

29. Victims of sexual exploitation may be trapped in the legacy of the intergenerational impacts of the residential schools. They may need help to recognise the exploitative nature of a relationship. They may need help to break the cycle of intergenerational trauma.
30. The history of abuses related to residential schools, systemic discrimination, and past and present policies and legislation may interfere with the connection between individuals and their community or family support structures.
31. Work must be done on education and awareness with children and youth. From early on, children need to learn and understand that it is not “normal” to be sexually abused or touched in certain ways, and that they should not keep certain “secrets”. Children must learn how to recognise an exploitative relationship and they must be given the tools and the environment to talk about these matters and to report any abuse.
32. As part of its mandate, the Cree Justice Department has established the Cree SNAP program (Stop Now And Plan®), in collaboration with the Child Development Institute and the Cree School Board. Our staff works with children aged 6 to 11 on essential life skills such as how to deal with conflict, anger, frustration and anxiety. This year, with our partners, we started to work with youth aged 12 to 17. The program gets children and youth to think about consequences, options, and plan positive before acting impulsively or making their problems bigger.

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<sup>19</sup> MMIWG Report, Volume 1a, at p. 658.

33. In 2016-2017, we worked with 2,301 children in 138 classrooms. In 2017-2018, we worked with 2,400 children in 153 classrooms. Last year (2018-2019), we worked with 1,512 children in 99 classrooms.
34. Through our Cree SNAP program, we are working to help children take control over, and maintain respect for, their bodies and to become aware of inappropriate requests from others.
35. We also work with older youth (grade 5 and 6) and teach them about the dangers of “sexting”, *e.g.* exchanging texts and images with sexual connotation through email, texts and social media.
36. The National Inquiry called for health service providers and educational service providers to develop and implement awareness and education programs for Indigenous children and youth on the issue of grooming for sexual exploitation.<sup>20</sup>
37. Personnel working in daycare and educational services should also be aware of the importance and the means of detecting Indigenous children exposed or subject to sexual exploitation.
38. Service providers working with Indigenous people must be sensitized to Indigenous realities. In particular, front-line interveners (*e.g.* medical doctors, social workers, welfare officers, probation officers, teachers, lawyers and police officers) must be able to identify Indigenous victims of sexual exploitation and take the necessary measures to ensure that these individuals are protected and return to a safe environment.
39. The Quebec Government must carry out a Province-wide campaign to educate and sensitize the public and those involved in certain industries that may unintentionally facilitate the sexual exploitation of youth, including the hotel industry. In this regard, Manitoba could provide inspiration. Since 2010, the Manitoba Government has partnered with the Manitoba Hotel Association (MHA) to promote a campaign to help hotel staff in detecting, reporting and preventing child sexual exploitation. *“Recognizing that hotels are a space often used in sexual exploitation, the MHA campaign is aimed at providing front-line workers with information they can use to spot unsafe situations and to respond appropriately.”*<sup>21</sup>

#### **Providing safe and supportive environment**

40. Complaints filed by victims of sexual exploitation must be treated seriously and thoroughly. Victims must be confident that they can file a complaint and they must feel safe to come forward.

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<sup>20</sup> MMIWG Report, Volume 1b, Calls for Justice No. 7.9 (health service providers) and 11.2 (educational service providers).

<sup>21</sup> MMIWG Report, Volume 1b, p. 11.

41. The National Inquiry noted that the perception of impunity on the part of abusers – the idea that no one will come looking for them – creates conditions for violence and abuse.<sup>22</sup>
42. Some Indigenous youth may fear the repercussions of reporting an incident or an abusive relationship to the authority or frontline workers. They could be re-victimized by the justice system, either because of the little support they will be provided, the difficulties of testifying, or the fear of not being properly protected from violent exploiters.
43. The National Inquiry noted the systemic indifference of the police and the justice system when it comes to Indigenous women and girls involved in the sex industry:

[...] In her testimony as an Expert Witness, Robyn Bourgeois talked about the link between racist and sexist stereotypes about Indigenous women and the indifference that so often characterizes the societal and institutional response to the violence inflicted upon Indigenous women – especially those working within the sex industry.

The one piece that has always been there is the hypersexualization of Indigenous women and girls, and the perception that we are inherently sexually available. And, that – if we are inherently available, sexually, then the violence that happens to our bodies doesn't count.... It's the inherent belief within the settler colonial system, which is the foundation of our current Canadian nation state, that Indigenous women and girls are inferior, they're deviant, they're dysfunctional, and they need to be eliminated from this nation state, and that's what makes it okay to abuse and violate Indigenous women and girls.

These assumptions have important implications for police investigations, as Bourgeois noted.

Why didn't police investigate? Why did it take, you know, almost 20 years before they took this seriously? It was because of this belief that these women were entrenched in the sex industry and for that reason, you know, they weren't likely victims. And so it allows for general inaction on violence against Indigenous women and girls, and that's a huge concern for me.

These beliefs also translate into the courts. [...]

As much previous research and many of the testimonies demonstrated, encounters between Indigenous women and girls involved in the sex industry and the justice system often involve experiences of additional violence at the hands of those with a responsibility to uphold justice.<sup>23</sup>

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<sup>22</sup> MMIWG Report, Volume 1a, at p. 660.

<sup>23</sup> *Id.*, at pp. 662-663.

44. At the end of the section of its report related to the sex industry, sexual exploitation, and human trafficking, the National Inquiry makes important findings:<sup>24</sup>
- Policing services struggle to effectively respond to cases of human trafficking, sexual exploitation, and violence against women and 2SLGBTQQIA people in the sex industry. The detection of offenses such as human trafficking and sexual exploitation is difficult, compounded by difficulties in investigating and prosecuting these crimes. Current laws, including those regarding sexual exploitation and human trafficking, are not effective in increasing safety overall for Indigenous women, girls, and 2SLGBTQQIA people because those laws do not acknowledge power imbalances and social stigmas.
  - Indigenous women, girls, and 2SLGBTQQIA people in the sex industry do not trust police services to keep them safe, due to the criminalization of their work and the racial and sexual discrimination they encounter, as well as the social stigma attached to the sex industry, in general.
  - The rights to safety and security of Indigenous women and 2SLGBTQQIA people in the sex industry are not being recognized and protected.
45. Addressing these findings would be a good start if we are to promote denunciation by victims of procurers and client-abusers.
46. In short, the Government must take the appropriate measures to put an end to the culture of impunity and indifference in regard to Indigenous women and girls involved in the sex industry. It must work at all levels to eliminate the fear and mistrust that stop Indigenous women and girls who experience violence in the context of the sex industry from talking to the police.
47. In addition, there must be concerted efforts, including by Government, entities and organisations involved in policing, justice, education, health and social services, and the media to address many of the concerns raised above. For example:
- (a) All frontline workers must receive training in matters related to sexual exploitation of Indigenous youth and children, including with respect to the necessity of taking all complaints seriously and not ignoring any youth, especially those in vulnerable circumstances.
  - (b) Special attention must be given during events and festivals (e.g. Grand Prix), when the number of sexual abuses and demand for sexual services may increase.<sup>25</sup>

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<sup>24</sup> *Id.*, at p. 669.

<sup>25</sup> CBC, *Grand Prix brings human trafficking, sex trade to Montreal: activists*, June 6, 2018: <https://www.cbc.ca/news/canada/montreal/grand-prix-brings-human-trafficking-sex-trade-to-montreal-activists-1.734356>; Global News, *Why is the Canadian Grand Prix a hub for human trafficking?*, May 25, 2017: <https://globalnews.ca/news/3477705/why-is-the-canadian-grand-prix-a-hub-for-human-trafficking/>; Montreal Gazette, *Canadian Grand Prix: Is Montreal Formula One race really a sex-trade hotbed?*, June 9, 2017: <https://montrealgazette.com/news/local-news/canadian-grand-prix-is-montreal-formula-one-race-really-a-sex->

- (c) Outreach programs, with effective communication strategies, must be developed and carried out to reach out to sexually exploited youth and children who may not be in a position to come forward on their own for various reasons.
  - (d) Shelters and transitional facilities with protection and care are required as a safe place for those who wish to come forward and break away from an exploitative relationship and environment.
48. The Victims of Crime Assistance Centres (*Centre d'aide aux victimes d'actes criminels – CAVAC's*) provide confidential and free of charge, front-line services, including post-trauma and psychosocial interventions, to victims of crime, their immediate families and also to witnesses of crime.
  49. In many cases, CAVAC workers play a key role for victims by serving as their primary “point of contact”. The importance of CAVAC services is even more significant where trust in the authorities including the police may be an issue. In Eeyou Istchee, the Justice Department operates the “Cree CAVAC” to serve primarily Cree individuals in the Cree communities.
  50. All CAVAC personnel in Québec, particularly in urban centres such as Gatineau, Val-d'Or, Amos and Montreal, must be sensitized to the vulnerability of Indigenous victims, particularly youth victims. They must be trained to adopt a special approach when dealing with Indigenous youth and particularly those involved in sexual exploitation.
  51. CAVAC's in certain urban centres seem to have implemented certain special measures to monitor and address sexual exploitation of youth. In particular, a pilot project for the creation of an intersectoral team to deal specifically with sexual exploitation seems to have been recently established in Montreal.<sup>26</sup> Such measures must take into account the special needs and circumstances of Indigenous victims and youth, and they must be established in all urban centres, particularly where Indigenous youth and children are present.
  52. Additional training must be provided to CAVAC personnel throughout Québec to increase awareness and sensitivity to the particular circumstances of Indigenous youth and their vulnerabilities to sexual exploitation.
  53. The Montreal CAVAC appears to have begun to establish contacts with Indigenous resources in order to better meet the needs of Indigenous victims of sexual exploitation.<sup>27</sup> Each CAVAC must identify the resources in its region that can provide additional, complementary assistance to Indigenous youth, such as Native Friendship centres. Each

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[trade-hotbed](https://www.thestar.com/sports/2018/06/06/montreal-confronts-sexual-exploitation-concerns-during-f1-race.html); Toronto Star, Montreal confronts sexual exploitation concerns during F1 race, June 6, 2018: <https://www.thestar.com/sports/2018/06/06/montreal-confronts-sexual-exploitation-concerns-during-f1-race.html>.

<sup>26</sup> Centre d'aide aux victimes d'actes criminels, *Mémoire présenté à la Commission spéciale sur l'exploitation sexuelle des mineurs : L'intervention en contexte d'exploitation sexuelle auprès des adultes et des mineurs au sein du réseau des CAVAC*, 7 novembre 2019.

<sup>27</sup> *Ibid.*, at 15.

CAVAC must establish contacts and relationships with these organizations in order to be prepared when the need arises.

54. The implementation of these measures will require the continued support, including technical and financial support, of the Government of Québec.

**Empowering young people and reducing vulnerability**

55. Measures must be designed and implemented, in collaboration with all stakeholders, to empower young people, to reduce their vulnerability, and to help them avoid the traps of or break away from sexual exploitation. For example:

- (a) **Basic Skills.** Some youth may not have the basic skills and they may not have any other way to get money or support, and so we need to work with them to build their skills, promote their empowerment and self-esteem, and help them find alternative sources of income to reduce or eliminate their dependence on sex-related activities for money.
- (b) **Safe Shelter.** In some cases, they may need safe shelter to allow them to transition to new living arrangements and to transform their lifestyles. They may need help with finding housing and employment.
- (c) **Addiction Treatment.** Some may have developed an addiction to drugs supplied by their exploiters, so we need to work with them to address addictions. They may need crisis intervention and detoxification to address drug and alcohol abuse that may be perpetuating or enabling their exploitation. They may need peer support programs, especially during the exiting process.
- (d) **Counselling and Support.** Some may feel stigmatized or shamed, and so they need counselling and support services to have the confidence to break the cycle of exploitation and transform and rebuild their life. They may need counseling services to allow them to explore healthy ways of coping with emotional and physical harm, trauma, and abuse.
- (e) **Protection.** Some may be scared of the threats of violence by those exploiting them, so they need protection and safety. We need to monitor abusers and recruiters, including through gangs and criminal organisations, to prevent recruitment or harassment.
- (f) **Community and Family Support.** Some may feel disconnected from their community or family support system, and may have no means or connection that would assist them in changing their situation, and so we need to work with them to rebuild connections and a sense of community. They may need programs to promote cultural renewal, such as working with Elders to pass on traditional teachings, skills, values and roles.

**B. HOW CAN WE BETTER MEET THE NEEDS OF VICTIMS OF SEXUAL EXPLOITATION IN THE CREE COMMUNITIES OF EYYOU ISTCHEE?**

56. Victims have immediate needs of protection and care, and service providers, the community and the competent authorities must properly address these needs.
57. In the longer term, we must also address the underlying factors, *i.e.* historical and systemic treatment, socioeconomic conditions and overcrowded and substandard housing.
58. We must address the history of abuses related to residential schools, systemic discrimination, and past and present policies that interfere with the connection between individuals and their community or family support structures. Resources must be invested in victim services to support healing and change in hopes of stopping the cycle of inter-generational trauma.
59. Witnesses before the National Inquiry emphasized that any serious attempt to combat sexual exploitation and trafficking among Indigenous girls and youth must be met with an equally serious commitment to ensuring that adequate financial, health, and social supports exist to make other options viable.<sup>28</sup>
60. We must address socioeconomic conditions so that Indigenous women and youth do not have to leave their communities in the first place. One of the most urgent needs in Indigenous communities is the critical shortage of social housing. Until this single issue is resolved, Indigenous people will continue to be forced from their communities to urban centres, where many will be at risk of homelessness, violence and exploitation.<sup>29</sup>
61. In its final report, the Public Inquiry Commission on relations between Indigenous Peoples and certain public services in Québec (Viens Commission) recognised the need to improve living conditions and to address housing in Indigenous communities. It called upon the Government of Québec to conclude agreements with the federal government under which both levels of government financially support the development and improvement of housing in all Indigenous communities in Québec. It also called upon the Government to contribute financially to social housing initiatives for Indigenous people in urban environments.<sup>30</sup>
62. All these measures will come to nothing if we are not able to effectively communicate with current and potential victims. We must find the medium and the means to communicate directly with them or through parents, guardians, family, friends, educators and frontline workers. They must know that help and support is available.

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<sup>28</sup> MMIWG Report, Volume 1a, at pp. 657-658.

<sup>29</sup> See note 18.

<sup>30</sup> Viens Commission, Summary Report, pp. 22-25 and Calls for Action No. 8 and 10.

### C. HOW CAN WE BETTER PROMOTE THE REPRESSION OF CLIENT-ABUSERS?

63. Again, traffickers, procurers and client-abusers exploit victims' vulnerabilities. We must work at empowering victims and reducing their vulnerabilities so as to change the power dynamics and help them come forward and denounce their procurers and client-abusers.
64. Changing the power dynamics means empowering young people so they have the means, the confidence and the strength to break away from an exploitative relationship and environment or resist falling into one. For example:
  - (a) **Awareness campaigns.** Province-wide and community awareness campaigns must be developed and used to sensitize the public and those involved in certain industries that may inadvertently facilitate the sexual exploitation of youth, including the hotel industry – see the Manitoba initiative above. This should be initiated by the Government, in collaboration with stakeholders, including Indigenous governments and organisations, the police, CAVAC's, the media and the concerned industries.
  - (b) **Institutions and policies.** Institutions and policies must be reviewed and reformed to ensure protection and safety for those who denounce client-abusers. The Government must put an end to the culture of impunity and indifference in regard to Indigenous women and girls involved in the sex industry. It must work at all levels to eliminate the fear and mistrust that stop Indigenous women and girls who experience violence in the context of the sex industry from talking to the police.
  - (c) **Inter-provincial and international collaboration.** The Government must take part in and ensure that police forces in Quebec (SQ, SPVM, Eeyou Eeenu Police Force) and other stakeholders participate in inter-provincial and international initiatives aimed at monitoring and repressing criminal organisations involved in cross-border human trafficking and sexual exploitation.
  - (d) **Internet and social media.** Province-wide and community awareness campaigns must be developed and used to sensitize parents, educators and youth to the risk of the Internet and social media being used as a tool for recruitment. Policies and measures, such as "Crime-Stoppers" and surveillance mechanisms, must be developed and implemented to protect youth (including Indigenous youth) from the danger of being recruited through the Internet and social media, and to promote the repression of client-abusers working through the Internet and social media.

### IV. CONCLUSION

65. Addressing the sexual exploitation of youth will require a concerted effort from the Government and all stakeholders. For a start, the Government should implement the provisions of the *United Nations Declaration on the Rights of Indigenous Peoples* (UNDRIP). Article 7 provides that Indigenous individuals have the rights to life, physical



and mental integrity, liberty and security of person and that they shall not be subject to any act of violence.

66. The Government should also implement the recommendations and calls for action of the Truth and Reconciliation Commission of Canada, the National Inquiry into Missing and Murdered Indigenous Women and Girls, and the Public Inquiry Commission on Relations between Indigenous Peoples and Certain Public Services in Québec (Viens Commission).
67. The implementation of UNDRIP and these recommendations and calls for action will set out the proper conditions and circumstances to better address and hopefully put an end to the sexual exploitation of Indigenous youth.

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