

FOR FREEDOM CHRIST HAS SET US FREE

PASTORAL LETTER ON HUMAN TRAFFICKING
AND SEXUAL EXPLOITATION IN CANADA



EPISCOPAL COMMISSION
FOR JUSTICE AND PEACE

CANADIAN CONFERENCE
OF CATHOLIC BISHOPS

"...WHAT YOU DO NEED TO KNOW IS THAT THIS ABUSE IS OCCURRING RIGHT IN YOUR COMMUNITY, AND YOU'RE LIKELY NOT EVEN AWARE."

—Casandra Diamond, Survivor

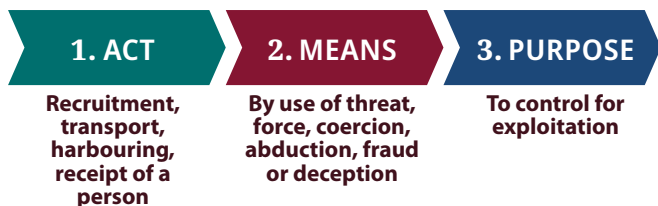
INTRODUCTION

1. The trafficking of human beings is an extremely lucrative crime with annual profits estimated at 150 billion USD.¹ In Canada, the average annual profits from a single victim of sex trafficking is \$280,000.² Tragically, this insidious industry continues to operate with relative impunity because of the low risk factors and high financial returns involved. The International Labor Organization estimates that globally there are 4.8 million people trapped in forced sexual exploitation.³

Pope Francis has denounced the trafficking of human beings as *"an open wound on the body of contemporary society, a scourge upon the body of Christ."*⁴

WHAT IS HUMAN TRAFFICKING?

2. In 2003, the Canadian government adopted and ratified the Palermo Protocol,⁵ which describes three components in the trafficking of human beings:



3. Statistics Canada reports that between 2009 and 2018, a total of 1708 police-reported incidents of human trafficking were reported, with 63% involving prostitution offences. The number and rate of human trafficking incidents have steadily increased since 2010.⁶ Due to the clandestine nature of the crime and the reluctance of witnesses and victims to come forward to the police, the real numbers are much higher than those reported.

4. Human trafficking does not require that a victim cross a national border. It happens in Canada, perhaps even in your neighbourhood. In fact, **most trafficking in Canada is domestic; the persons being trafficked are primarily Canadians.**⁷

5. Although there are various types of human trafficking, this pastoral message focuses on the trafficking of human beings for the purpose of sexual exploitation (prostitution). It does so from the perspective of the Social Teaching of the Catholic Church, as well as our current Canadian law, the Protection of Communities and Exploited Persons Act (PCEPA). We will explain why prostitution cannot be considered a form of "work" or simply a personal choice, and will then respond to a series of questions:

- *Who are the buyers?*
- *Who are the victims?*
- *What does legalization/ decriminalization mean?*
- *What do survivors need to exit prostitution?*
- *What is our responsibility as Catholics following the example of Jesus Christ who modeled compassion for all, especially the most marginalized?*

SURVIVOR VOICES

*"To the people of Canada:
For nine long, horrible years, I was trafficked in the sex industry. I was no more than 'girl number four', valued only for my outward appearance and ability to please customers. I regularly saw 12-14 men per night. I was punched, slapped, bitten and worse, all in the name of my so called 'job'. My customers wanted the porn-star experience, things that they wouldn't do with someone they loved or respected. My story is not an uncommon one... I can only say that to judge me you truly need to have lived some of my experiences or have some of my vulnerabilities. But what you do need to know is that this abuse is occurring right in your community, and you're likely not even aware."*⁸ —Casandra Diamond

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THE SOCIAL TEACHING OF THE CATHOLIC CHURCH

6. Catholic Social Teaching (CST) includes several foundational principles. The act of buying sexual services violates every one of them, but particularly the following:

1. THE LIFE AND DIGNITY OF THE HUMAN PERSON

All humans are created by God and instilled with intrinsic value and worth. They are created by Love and for love. “Buying sexual services from a prostituted person has nothing to do with love; instead, it is a serious offence against human dignity.”⁹ People are not to be used as a means to an end,¹⁰ as occurs in sex trafficking. Prostitution denies and effaces the person’s dignity and does not respect their integrity.

Given the inalienable dignity and worth of every human person, it is morally unacceptable that anyone should purchase the body of another person for their own sexual gratification.

2. THE RIGHTS AND RESPONSIBILITIES OF THE HUMAN PERSON

Given the fundamental right to life of every person created in God’s image, it follows that the basic requirements for life such as food, clothing, shelter, etc., are also rights. In the hands of traffickers, however, prostituted persons are frequently denied these basic needs. Their freedom is restricted, and their safety is often threatened to ensure compliance.

3. THE DIGNITY OF WORK AND THE RIGHTS OF WORKERS

Every person is entitled to legitimate work. However, prostitution is not “work” since it respects neither the dignity of the victim nor that of the buyer. No workplace would permit such physical and psychological harm done to an employee. No respectable employer would permit workers to be assaulted and threatened under such inhumane and unacceptable conditions. Treating sex as “work” masks the physical, psychological and sexual violence inflicted on the prostituted person.¹¹ Prostitution involves selling something that by its nature cannot be bought or sold and is therefore inherently exploitative.

4. THE OPTION FOR THE POOR AND THE VULNERABLE

Statistics indicate that the most marginalized are often pulled into selling sexual services because of poverty, limited options, and gender and educational inequality.



**TREATING SEX AS "WORK"
MASKS THE PHYSICAL,
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WHO ARE THE BUYERS?

7. Buying sex is the most common reason for trafficking human persons. In such transactions, one person provides a tangible item or good (e.g., drugs, money) in exchange for sexual services from another person. The buyer is both directly (by violating the person's body) and indirectly (by financially supporting the system holding that person in bondage) responsible for the harm done to the prostituted person.

8. Buyers are most often men and come from every race, age group, and profession. They usually are from a higher economic class and possess higher than average educational levels. Many use pornography, which influences them to view persons as objects. Most men purchase sex in off-street venues such as brothels, escort agencies and massage parlors.¹²

A Polaris report found that in the United States these illicit "massage parlors" earn around \$2.5 billion annually, with the proceeds supporting organized criminal networks.¹³

WHO ARE THE VICTIMS?

9. The most common factors involved with entry into prostitution include being poor, being female, having experienced violence and/or neglect, and having a low level of education.¹⁴

According to the Canadian Federal Government's *National Strategy to Combat Human Trafficking 2019-2024*, "Individuals at greatest risk of victimization in Canada generally include women and girls and members of vulnerable or marginalized groups such as: Indigenous women and girls, migrants and new immigrants; LGBTQ2 persons; persons living with disabilities; children in the child welfare system; at risk youth and those who are socially or economically disadvantaged."¹⁵

10. The above Strategy also notes that "testimony from the National Inquiry into Missing and Murdered Indigenous women and girls has highlighted that human trafficking is strongly linked to disproportionately high rates of violence against Indigenous women and girls and that the extent of human trafficking and victimization of Indigenous women is grossly under-reported."¹⁶

*According to Statistics Canada:*¹⁷

97% of human trafficking victims are women and girls (although men and boys are not immune to this crime)



28% are under 18 years of age

45% are between 18 to 24

26% are 25 and older

PROSTITUTED PERSONS INCLUDE THE FOLLOWING:

- Indigenous girls fleeing violence and neglect
- Asian women in brothels (massage parlors, nail salons) with no identification papers and limited English
- Immigrants who have minimal social supports and experience difficulty adapting to a new country
- Girls living in group homes, homeless shelters, foster care and those lured through the internet, from malls and from school grounds



Enfolding, 1992 © Daphne Odjig, 1919-2016. Used with permission.

COMPLIANCE IS NOT CONSENT.

11. The buyers, pimps and traffickers need to be held accountable for the harm they cause to society's voiceless and most vulnerable. The trauma inflicted by abusive relationships is extremely destructive. Psychological scars and bruises affect the entire life of the victim. The prostituted person is treated as a commodity or object, thus damaging their sense of worth with internalized shame and guilt. Most suffer from various difficulties, including PTSD, severe depression, damage to their reproductive system, sexually transmitted diseases, and physical harm from beatings and assaults.

HOW CAN PROSTITUTION BE "WORK"?

12. Some people today want to treat prostitution as "work." However, many of its victims have no meaningful choice in it.¹⁸ Prostitution is not consensual sexual activity. It relies on the lie that one can be entitled to the body of another person and it fosters the idea that human beings—usually, but not always, women—are sexual commodities whose consent can be purchased. The prostituted person complies with the buyer's demand not for sexual gratification but because they need the money. Compliance is not consent.

As Shelagh Day, founding president of the Women's Legal Education and Action Fund, makes clear:

*"The bargain inherent in prostitution is that women have unwanted sex with men they do not know, and feign enjoyment, in exchange for money. Calling this sex between consenting adults ignores the fundamental inequality in the sexual and human transaction for the woman and the man."*¹⁹

13. In the *Criminal Code of Canada*,²⁰ it is a criminal offence to engage in sexual activity without consent. There is, then, already an obvious conflict between prostitution as "work" and the laws of sexual assault. The Supreme Court of Canada describes rape as a serious violation of bodily integrity.²¹ Yet those protections

in the Criminal Code would become meaningless if compelled sexual activity were to be considered "work." This is even more so the case when the prostituted person is considered to be an "employee." Where the primary obligation of the employee to the employer is to provide sex to a third party, the act of prostitution is in direct conflict with Canadian laws on sexual assault.

14. Prostitution is also an inherently discriminatory practice since it primarily consists of men seeking to buy sex from women. Men tend to buy sexual services based on physical attributes with a high preference for young women and girls.

15. It is unlawful to require a person to engage in sex as a condition of their employment. Human rights laws uphold the right of workers to be free from sexual harassment.²² This protection applies to a server in a restaurant, a domestic worker, a babysitter or any other form of employment. Prostitution is, as well, a form of sexual harassment.

16. In summary, the very nature of prostitution as a practice of exploitation precludes it from ever becoming lawful "work." And from the point of view of Catholic Social Teaching, any sexual act that is not a free gift of self falls short of God's plan for the flourishing of the human person.

THE BUYERS, PIMPS
AND TRAFFICKERS
NEED TO BE HELD
ACCOUNTABLE
FOR THE HARM
THEY CAUSE.



SURVIVOR VOICES

*"I was at the mercy of the clients who would take advantage of my lack of personal boundaries. I would be left with bruises all over my body from the rough sex; men always wanted to imitate hardcore porn, acting out the sexual violence they were feeding on. The drunker they were, the angrier they would get until they were in hateful rages. Those were the times my vagina would bleed from the trauma. I had no one to tell or to help me as we (the girls) were experiencing the same thing."*²³ —Jade

PROSTITUTION IS VIOLENT AND EXPLOITATIVE.

WHY DECRIMINALIZATION/LEGALIZATION ISN'T THE ANSWER

17. New Zealand considers prostitution as “work”. In 2003, it passed the Prostitution Reform Act, decriminalizing sex buyers, brothels and the prostitution of people over the age of 18. Although it is illegal for minors to be involved in prostitution, there are still “girls as young as 13 and 14 on the streets selling their bodies.”²⁴

18. When prostitution is a “business,” brothel owners have total control over their “employees” and the prostituted women have no access to legal protection. Police in New Zealand note that there is “no systematic intelligence gathering,”²⁵ making it more difficult to uncover exploitation. Abuse, harassment and violence are common, and they are rarely reported to authorities.²⁶

19. Germany is another country with legalized prostitution. Since legalization, demand has grown, with 1.2 million men buying sex every day from 400,000 women and girls.²⁷ This demand is being filled by trafficked women from the poorest regions of Europe—particularly Romania and Bulgaria—as well as China, Nigeria and other parts of Africa.²⁸ The red-light district in various cities has become a highly criminal environment in the hands of organized crime.

Legalization/decriminalization is a failed experiment. It only serves to increase demand by promoting and normalizing the social acceptance of sexual exploitation.

THE LEGAL MODEL ADOPTED IN CANADA

20. In 2014, the Parliament of Canada passed The Protection of Communities and Exploited Persons Act (PCEPA,) which decriminalizes all those who are prostituted, provides funding for support services to help them exit and makes buying sex from anyone a criminal offence. The Act criminalizes those who purchase sex, while decriminalizing those who sell, holding the buyers accountable for their criminal behaviour. This law is a positive step forward and an example to other countries of how both to protect the victims and to hold the buyers accountable. It puts the focus on the demand for paid sex, which is the underlying cause of trafficking.

21. Canada’s legislation recognizes that prostitution is by its nature exploitative and violent, that it objectifies the human body by commodifying sexual activity, and that it has a disproportionately negative effect on women and children.²⁹ This law, sometimes referred to as the Nordic or Equality model, is the way forward. Yet, as a global leader in this area, Canada ought to ensure a more consistent enforcement of the law everywhere in our country. Collaboration between law enforcement and the judicial system in Canada is essential. In some jurisdictions, law enforcement agencies are not regularly prioritizing enforcement due to outdated policy and limited resources.

Prostitution is violent and exploitative. Stopping the demand for buying sex is the only way to prevent more crimes and the harm caused to the victims of prostitution.



STOP THE DEMAND

WHY IS IT SO DIFFICULT FOR THE PROSTITUTED PERSON TO LEAVE?

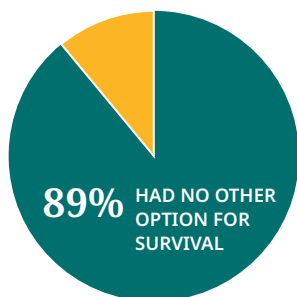
22. Exiting prostitution is a complex process that most often takes numerous attempts and several years to achieve. Some women might never get out of prostitution. Research by Melissa Farley revealed that of 854 prostituted persons from 9 countries, including Canada, 89% of the women wanted to escape prostitution but were forced to remain because they had no other option for survival.³⁰ Only a small percentage are fortunate enough to be able to exit.

23. The length of involvement in prostitution as well as severity of the harm suffered determines the possibility of successful exiting. Some catalysts include becoming pregnant or a sudden illness, involvement in the criminal justice system, experiencing a particularly violent event, or finding a new stable relationship.

24. Exiting is difficult and often very dangerous. For many, the way into prostitution is the way out. For example, if the entry point into prostitution was to obtain money for one's drug addiction, then the first step to recovery will be involvement in a drug treatment program.

25. Many barriers to exiting need to be addressed in the healing process. Some obstacles include lack of safe housing, poor employment histories, physical and mental health issues, low educational levels, financial instability, and age of entry. There is a correlation between the age of entry and the number of barriers experienced in attempting to exit. Those who enter prostitution as children encounter a greater number of barriers than those who entered as adults.³¹

A key component in any process of exiting is returning the power for decision making back to the survivors, so that they can recover their self-determination.



854 prostituted persons from 9 countries, including Canada:

89% of the women wanted to escape prostitution but were forced to remain because they had no other option for survival.

26. As Pope Francis states, it is necessary *“to provide victims with welcome, human warmth and the possibility of building a new life.”*³² *“The reintegration of human trafficking victims in society is no simple matter given the traumas they have suffered.”*³³ Healing from the trauma, stigma and social isolation begins with the assistance of professionals trained



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in dealing with physical, psychological and spiritual suffering. Other basic needs such as housing, food, employment, education, health care, and social supports must also be provided by service agencies specifically designed to help trafficked women and girls.

27. *“The Church is committed to raising awareness of the growing need to support victims of these crimes by accompanying them on a path of reintegration into society and the recovery of their human dignity. The Church is grateful for every effort made to bring the balm of God’s mercy to the suffering, for this also represents an essential step in the healing and renewal of society as a whole.”*³⁴

SURVIVOR VOICES

*“I am a survivor of human trafficking, at the time I didn’t even know I was being trafficked... My first time sold I was around eight or nine years old, though the sexual abuse I experienced began in my earlier childhood... I’m here to tell you that it happens, it’s homegrown and here in our own backyards. It’s modern day slavery, something humans have been doing to each other since probably the beginning of time... most of us we didn’t find a way out until our later years in life, for me I was thirty-four. Sometimes I reflect on that time and am taken aback by the sheer fact that my very first thirty-four years was this. I am amazed that I can even put together a sentence”*³⁵ –Robin Zee

BUYING SEX IN CANADA IS AND SHOULD REMAIN A CRIME.

IT IS ONLY BY STOPPING
THE BUYING THAT THIS
INJUSTICE WILL END.

30. MOST IMPORTANTLY, LET US PRAY TO END SEXUAL EXPLOITATION AND HUMAN TRAFFICKING.

*Almighty and merciful Father,
help us to see the face of your Son
in all those suffering from sexual
exploitation and human trafficking in
our world today. May your Holy Spirit
strengthen the broken hearted
and fill them with your love while
changing the hearts of the exploiters.*

*Grant us the courage to respond in
solidarity with those who suffer and
the wisdom to advocate for justice.
Guide our civil leaders to work for
the common good and to protect
the vulnerable.*

*We ask this through Christ our Lord.
Amen.*

*Mary, Mother of all the living, we
implore your intercession for graces
of healing for those who are exploited
and conversion for the perpetrators,
that all may live the abundant life
of Jesus Christ. Amen.*

WHY DO WE NEED TO CARE?

28. Catholics are called to follow the example of Jesus Christ who showed compassion to all, especially those suffering, the marginalized, those on the edges of society and those who conceal their needs through shame.

29. In his message for the 2015 World Day of Peace, Pope Francis stated, “we are facing a global phenomenon that exceeds the competence of any one community or country, and therefore we need a mobilization comparable in size to that of the phenomenon itself.” He calls us as Catholics “to open our eyes, to the misery of those who are completely deprived of their dignity and their freedom and to hear their cry for help.”³⁶ Let’s help them stop by ensuring that our law is enforced consistently across Canada. Buying sex in Canada is and should remain a crime. It is only by stopping the buying that this injustice will end. We therefore call upon governments at all levels, as well as law enforcement bodies, to ensure that the law is upheld in order to halt the continued violations of human dignity in our country.

CANADA HAS NOW A CANADIAN HUMAN TRAFFICKING HOTLINE.

If you suspect someone is being sexually trafficked or exploited, please call the 24/7 Canadian Human Trafficking Hotline at **1-833-900-1010** or visit www.canadianhumantraffickinghotline.ca

LEARN TO RECOGNIZE THE SIGNS OF HUMAN TRAFFICKING.

Visit www.rcmp-grc.gc.ca/en/human-trafficking/recognizing-human-trafficking-victims

ENDNOTES

- ¹ OSCE (Organization for Security and Co-Operation in Europe), Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings, [“Following the Money: Compendium of Resources and Step-by-Step Guide to Financial Investigations Related to Trafficking in Human Beings.”](#) (October 2019), p. 12.
- ² <https://joysmithfoundation.com/p/human-trafficking/>
- ³ International Labour Office and Walk Free Foundation, [Global Estimates of Modern Slavery: Forced Labour and Forced Marriage](#). Geneva, September 2017.
- ⁴ Pope Francis, Address to [Participants in the International Conference on Combating Human Trafficking](#), 10 April 2014.
- ⁵ United Nations Office of the High Commissioner for Human Rights, [“Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime”](#) (2000).
- ⁶ Statistics Canada, [“Police-reported incidents of human trafficking,”](#) in [Trafficking in Persons in Canada, 2018](#)
- ⁷ Statistics Canada, [Trafficking in Persons in Canada, 2018. Between 2009 and 2018, about 32% of police-reported incidences of human trafficking in Canada involved crossing a border.](#)
- ⁸ Casandra Diamond, [How I was recruited into Sex Trafficking](#) (2019).
- ⁹ Migrants and Refugees Section of the Dicastery for Promoting Integral Human Development, [Pastoral Orientations on Human Trafficking](#) (2019), p. 13
- ¹⁰ As declared by [Gaudium et Spes](#) n. 24, “man, who is the only creature on earth which God willed for itself, cannot fully find himself except through a sincere gift of himself.”
- ¹¹ See, e.g., Melissa Farley, “Bad for the Body, Bad for the Heart”: Prostitution Harms Women Even if Legalized or Decriminalized,” in [Violence Against Women](#), Vol. 10 No. 10, pp. 1087-1125.
- ¹² Valiant Richey, Senior Prosecuting Attorney, King County, Seattle, WA, [“Ending Sexual Exploitation,”](#) Public Presentation at Vancouver Public Library October 16, 2017.
- ¹³ Polaris Project, [Hidden in Plain Sight: How Corporate Secrecy Facilitates Human Trafficking in Illicit Massage Parlors](#) (2018).
- ¹⁴ Canadian Women’s Foundation, [Report of the Task Force on Sex Trafficking of Women and Girls in Canada](#) (2014).
- ¹⁵ Public Safety Canada, [National Strategy to Combat Human Trafficking 2019-2024](#).
- ¹⁶ [Ibid.](#)
- ¹⁷ Statistics Canada, [Trafficking in Persons in Canada 2018](#) ; also [Police-Reported Human Trafficking in Canada, 2009-2018](#).
- ¹⁸ Supreme Court of Canada in [Canada \(Attorney General\) v. Bedford](#), 2013 SCC 72, para 86.
- ¹⁹ Shelagh Day, [Prostitution: Violating the Human Rights of Poor Women](#) (June 2008).
- ²⁰ [R.S.C. 1985, c. C-46](#), sections 271 and 273.1.
- ²¹ [R. v. McCraw](#) [1991], 3 S.C.R. 72, at p. 85.
- ²² [Janzen v. Platy Enterprises Ltd., \[1989\] 1 SCR 1252](#): “Sexual harassment is a form of sex discrimination. Sexual harassment in the workplace is unwelcome conduct of a sexual nature that detrimentally affects the work environment or leads to adverse job related consequences for the victims of the harassment. By requiring an employee, male or female, to contend with unwelcome sexual actions or explicit sexual demands, sexual harassment in the workplace attacks the dignity and self respect of the victim both as an employee and as a human being.”
- ²³ Norma, Caroline, Tankard Reist, Melinda (eds.) Prostitution Narratives: [Stories of Survival in the Sex Trade](#) (Spinifex Press 2016)
- ²⁴ Comments by Elizabeth Bang, President of the National Council of Women of New Zealand (2008). [“Men the only winners of the Prostitution Reform Act.”](#)
- ²⁵ New Zealand Ministry of Justice, [Report of the Prostitution Law Committee on the Operation of the Prostitution Reform Act 2003](#), May 2008, p. 101.
- ²⁶ [Ibid](#), p. 124
- ²⁷ Ingeborg Kraus, Address to the Italian Parliament, [“The ‘German Model,’ 17 years after the liberalization of prostitution.”](#) 28 May 2018.
- ²⁸ United States Department of State, [Trafficking in Persons Report 20th Edition](#), p. 222.
- ²⁹ [Protection of Communities and Exploited Persons Act](#) S.C. 2014, c. 25
- ³⁰ Melissa Farley, [“Prostitution and Trafficking in Nine Countries” in Journal of Trauma Practice](#) 2(3-4).
- ³¹ Bindel et al., [Breaking down the Barriers : A Study of how Women Exit Prostitution](#).
- ³² Pope Francis, [Address to Participants in the International Conference on Combating Human Trafficking](#), 10 April 2014.
- ³³ Migrants and Refugees Section of the Dicastery for Promoting Integral Human Development, [Pastoral Orientations on Human Trafficking](#) (2019), p. 29
- ³⁴ [Ibid](#), p. 31
- ³⁵ Robin Zee, [“Survivor Diary” April 8, 2020](#) from the blog of the organization Free-Them.
- ³⁶ Migrants and Refugees Section of the Dicastery for Promoting Integral Human Development, [Pastoral Orientations on Human Trafficking](#) (2019), p. 35

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