

## Do Evidence-Based Approaches Alienate Canadian Anti-Trafficking Funders?

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### Abstract

As a sex worker support organisation, SWAN (Supporting Women's Alternatives Network) Vancouver's relationship to anti-trafficking funding remains ambivalent, particularly given the history of anti-trafficking measures that have jeopardised the rights of sex workers. In this article, we share how we, as a small grassroots group, attempt to work through these ambivalences in dialogue with donors. Although SWAN Vancouver works with women who are often perceived to be trafficked (i.e. Asian women in sex work), it is rare for members of SWAN Vancouver to come across any case in the sex-work sector that has the hallmarks of trafficking, such as coerced work. Instead, our anti-trafficking work has mainly involved identifying the harms and human rights violations caused by repressive or misguided anti-trafficking measures. We reflect on our dialogue with two Canadian funders (a federal government agency and a national public foundation) that have considerable resources and immense power to influence what anti-trafficking practices are implemented in Canada. We analyse how these two funders and their adoption of an anti-prostitution analysis of trafficking will likely result in punitive consequences for immigrant sex workers, and therefore increase the need to assist women who have been anti-trafficked rather than trafficked.

**Key words:** funding, anti-trafficking, anti-prostitution, accountability, sex work, donors, funders

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## Introduction

The Canadian Women's Foundation conducted National Angus Reid public opinion polls that have uncovered the following: 70% of Canadians agree that women are brought into Canada from other countries and forced to work in prostitution against their will.<sup>1</sup> – Canadian Women's Foundation

Adult women involved in the sex industry may also be at risk of domestic trafficking. Through gang involvement, they may be forced into prostitution. They may also be forced by a pimp whom they consider to be a boyfriend. In both situations, forced prostitution is trafficking.<sup>2</sup> – Status of Women Canada

These two quotes are taken directly from funding calls for anti-trafficking work in Canada in 2012 and 2013. Currently, these two funders—along with a federal and a provincial government funding body—offer the largest amounts of anti-trafficking funding available in Canada. As a mainly volunteer-run sex-worker support organisation based in Canada, the Supporting Women's Alternatives Network (SWAN) is always on the lookout for funding opportunities to enable its work supporting immigrant and migrant women in indoor-based sex work, i.e. massage parlours, micro-brothels (run out of apartments and rental properties) and residential sites.<sup>3</sup> Unfortunately, the majority of funding calls we encounter in Canada reflect an anti-prostitution analysis of trafficking, in which sex work is either confused with trafficking or considered one of the main drivers of trafficking.

SWAN Vancouver's relationship to anti-trafficking funding remains ambivalent, particularly given the history of anti-trafficking measures that have jeopardised the rights of sex workers.<sup>4</sup> We work with the stereotypical archetype of the trafficked woman in Vancouver, i.e. Asian women who speak English with non-Western accents, and it is precisely our work with these women that places us within the anti-trafficking landscape. While the vast majority of women we have interacted with have not been trafficked, we feel obligated to participate in anti-trafficking discourses. Other sex worker support organisations in the SWAN Vancouver area face similar challenges in securing funding, even for socially acceptable services such as 'exiting' programmes for sex workers.<sup>5</sup>

This leaves us in a difficult position. Given that there are very limited funding possibilities to support our core services (direct support, outreach, information resource development), anti-trafficking funding is the most plausible source of funding for SWAN Vancouver's work. However, we experience two key dilemmas. First, should we, as a grassroots organisation that supports sex workers' rights, apply for and accept any funding that is framed around a problematic and harmful discourse that promotes an anti-prostitution and anti-migrant agenda? Second, given our limited resources, should we actively participate in trying to change these anti-prostitution and anti-trafficking frames when we can instead use that effort to provide direct services to the women we serve?

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<sup>1</sup> Canadian Women's Foundation, 'End Sex Trafficking', retrieved 12 December 2013, <http://www.canadianwomen.org/trafficking>

<sup>2</sup> Status of Women Canada, *Local Safety Audit Guide: To Prevent Trafficking in Persons and Related Exploitation*, Public Safety Canada, retrieved 13 December 2013, <http://www.publicsafety.gc.ca/cnt/rsrscs/pblctns/lcl-sfty-dtgd/index-eng.aspx>

<sup>3</sup> See: <http://www.swanvancouver.ca> (retrieved 5 August 2014).

<sup>4</sup> See: T O'Doherty, 'Criminalisation and Off-Street Sex Work in Canada', *Canadian Journal of Criminology and Criminal Justice*, vol. 53, no. 2, 2011, p. 217; N Suthibhasilp, L Petroff, D Nipp, *Trafficking in Women, Including Thai Migrant Sex Workers in Canada*, Status of Women Canada, Canada, 2000; E Jeffreys, 'Anti-Trafficking Measures and Migrant Sex Workers in Australia', *Intersections: Gender and Sexuality in Asia and the Pacific*, vol. 19, 2009.

<sup>5</sup> S Petrescu, 'Safe haven for sex workers forced to close as outreach society PEERS sees funding cut', *Times Colonist*, 2 September 2013, retrieved 2 September 2013, <http://www.timescolonist.com/news/local/safe-haven-for-sex-workers-forced-to-close-as-outreach-society-peers-sees-funding-cut-1.610121#sthash.WKk9Yjil.dpuf>. R Matas, 'Vancouver prostitutes to lose agency that helps them leave trade', *Globe and Mail*, 6 September 2012, retrieved 12 December 2013, <http://www.theglobeandmail.com/news/british-columbia/vancouver-prostitutes-to-lose-agency-that-helps-them-leave-trade/article4183614/>

In this article, we aim to address these two questions by reflecting on our dialogue with two Canadian funders that have considerable resources and power to influence how anti-trafficking practices are implemented in Canada. Although strides are being made in support of sex workers' rights,<sup>6</sup> there currently exists a highly problematic 'moral crusade' against sex work in Canada—a crusade that continues to conflate sex work and human trafficking in funding processes. We analyse how these two funders and their adoption of an anti-prostitution analysis of trafficking will likely result in punitive consequences for immigrant sex workers. We also describe our approach in addressing the dilemmas we face to share our experience in advocacy, which aims to address the issue of human trafficking without harming the rights of sex workers.

## Methodology

Our analysis is put forward through a 'thick description' of two illustrative case studies that reveal various dimensions of a situation in a particular context.<sup>7</sup> The first funder we discuss is Status of Women Canada, a federal government agency, and the second, Canadian Women's Foundation, is a large, national public foundation. By providing description and contextual analysis, we reveal how these funding bodies use national anti-trafficking funding applications as tools to promote an anti-prostitution conceptualisation of human trafficking. We then discuss how these funding opportunities create ethical dilemmas for SWAN Vancouver.

## Situating SWAN Vancouver

SWAN Vancouver occupies a unique intersectional location among sex worker organisations, women's rights and immigrant services organisations in Vancouver, Canada. While Vancouver is home to a number of dynamic sex-worker organisations, it remains the only organisation in Vancouver focused on supporting immigrants who have citizenship or permanent resident status, or migrants who have temporary status in the country, such as visitor or student visas. These women typically work in indoor establishments such as massage parlours or residential sites.

Our work largely supports Asian women. In the context of indoor sex work in Canada, Asian women who do sex work are still perceived to be the default trafficking victim regardless of their citizenship status or length of time in the country. This puts us in a unique position in the anti-trafficking sector in Vancouver. In actuality, our work involves working with immigrant or Canadian-born citizens, permanent residents, citizenship applicants, government-recognised refugees, temporary migrants or visitors and international students. It is rare for SWAN Vancouver to encounter a trafficking case in the sex-work sector. As a result, our advocacy efforts when confronted with the issue of trafficking have largely involved identifying the harms caused by repressive anti-trafficking measures (e.g. in dialogue with donors, in public education fora). In Vancouver, the most obvious example of punitive anti-trafficking efforts remains the 2006 law enforcement raids of 18 Asian massage parlours that aimed to identify victims of trafficking.<sup>8</sup> Instead, none of the 78 women arrested were reported to be in breach of immigration laws or trafficked. This

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<sup>6</sup> 'Supreme Court strikes down Canada's prostitution laws,' CBC News, 20 December 2013, retrieved 7 April 2014, <http://www.cbc.ca/news/politics/supreme-court-strikes-down-canada-s-prostitution-laws-1.2471572>

<sup>7</sup> L Davey, 'The Application of Case Study Evaluations', *Practical Assessment, Research & Evaluation*, vol. 2, no. 9, 1991; C Geertz, *The Interpretation of Cultures: Selected essays*, Basic Books, New York, 1973.

<sup>8</sup> '18 massage parlours raided, 100 arrested', *Vancouver Sun*, 9 December 2006, retrieved 12 December 2013, <http://www.canada.com/vancouver/news/story.html?id=431cc5d2-4496-4400-b367-403d9a07a454>

extensive law enforcement effort should provide a valuable lesson in the dangers of: (a) grounding anti-trafficking efforts in ethnic stereotypes, and (b) attempting to ‘help’ victims through workplace raids, arrest and detention.

Nonetheless, despite such misplaced efforts to identify trafficking victims, human trafficking remains a politically useful issue for abolitionists, one that continues to justify heavy-handed law enforcement action. The city of Vancouver is an especially politicised environment when it comes to pro-sex-worker rights groups and abolitionist groups. This polarisation became especially prominent in the lead-up to the 2010 Winter Olympics hosted in Vancouver. Despite the large body of evidence showing no link between major sporting events and human trafficking,<sup>9 10 11</sup> the issue of human trafficking became a ‘hot topic’ with the media before, during, and after the games.<sup>12</sup> As sociologist Ronald Weitzer notes:

As is typical of moral crusades, activists (and now government officials) have presented questionable statistics and anecdotal horror stories as evidence of a worldwide epidemic of coerced prostitution. The crusade’s sweeping claims are contradicted by academic research on the sex industry, including comprehensive reviews of the scholarly literature.<sup>13</sup>

This problematic discourse is not only reflected in the media—it is also clearly reflected under the current Conservative government’s approach to sex work: ‘Canadians also know that prostitution victimises women and threatens the safety of our communities. Our Government will vigorously defend the constitutionality of Canada’s prostitution laws.’<sup>14</sup>

In a sad but unsurprising move, on 22–23 January 2014, 26 police forces across Canada undertook massive raids in the ‘workplaces and homes of sex workers to find victims of human trafficking’; the raids targeted over 330 women involved in the sex industry.<sup>15</sup> These raids took place after a landmark decision that declared Canada’s prostitution laws unconstitutional on 20 December 2013, and have come to represent anti-trafficking approaches in Canada which:

- First, conflate sex work and human trafficking.
- Second, put out funding calls to demonstrate a pro-active attempt to address human trafficking.
- Third, allocate funding to organisations that actively work against sex workers.
- Finally, create an environment in which human trafficking becomes a convenient phrase used to re-purpose false information about sex work, thereby slowing our ability to understand human trafficking in Canada.

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<sup>9</sup> C Brackenridge et al., ‘Child Exploitation and the FIFA World Cup: A review of risks and protective interventions,’ 2013, retrieved 5 August 2014, [http://www.brunel.ac.uk/\\_\\_data/assets/pdf\\_file/0008/316745/Child-Protection-and-the-FIFA-World-Cup-FINAL.pdf](http://www.brunel.ac.uk/__data/assets/pdf_file/0008/316745/Child-Protection-and-the-FIFA-World-Cup-FINAL.pdf)

<sup>10</sup> J Ham, ‘*What’s the cost of a rumour? A guide to sorting out the myths and the facts about sporting events and trafficking*’, Global Alliance Against Traffic in Women (GAATW), 2010, retrieved 5 August 2014, <http://www.gaatw.org/publications/WhatstheCostofaRumour.11.15.2011.pdf>

<sup>11</sup> GAATW Canada, *2010 Winter Games Analysis on Human Trafficking*, 2013, retrieved 5 August 2014, <http://www.publicsafety.gc.ca/cnt/rsrscs/pblctns/wntn-gms-2010/index-eng.aspx#sii>

<sup>12</sup> K Wallace, ‘Human trafficking alive and well for the 2010 Olympics’, *Vancouver Observer*, 2 February 2010, retrieved 7 April 2014, <http://www.vancouverobserver.com/politics/commentary/2010/02/02/human-trafficking-alive-and-well-2010-olympics>

<sup>13</sup> R Weitzer, ‘The Social Construction of Sex Trafficking: Ideology and institutionalization of a moral crusade’, *Politics & Society*, vol. 35, no. 3, 2007, p. 468.

<sup>14</sup> Government of Canada, ‘2013 Throne Speech: October 16, 2013’, retrieved 18 October 2013, <http://www.speech.gc.ca/eng/full-speech>

<sup>15</sup> G Galloway, ‘Human trafficking crackdown seen by some sex workers as bullying tactic’, *Globe and Mail*, 27 January 2014, retrieved 7 April 2014, <http://www.theglobeandmail.com/news/politics/human-trafficking-crackdown-seen-by-some-sex-workers-as-bullying-tactic/article16539174/>

## Context: Canada's National Action Plan to Combat Trafficking

In June 2012, the federal government launched the National Action Plan to Combat Trafficking.<sup>16</sup> The purpose of the National Action Plan is to consolidate federal government efforts to combat human trafficking, identify victims, protect the most vulnerable, and prosecute perpetrators. To oversee over CAD 6 million (USD 5,587,373) in annual funding, a Human Trafficking Taskforce has replaced the Interdepartmental Working Group on Trafficking, which had previously overseen Canada's anti-trafficking efforts. The National Action Plan is based on the international '4Ps' framework—prevention, protection, prosecution and partnership. However, crime fighting and a criminal justice approach figure prominently. In the first year, the RCMP (Canada's national police force) and Canadian Border Services Agency received CAD 5.4 million. The government did not allocate funding for victim services in 2012–2013. In 2013–2014, the government allocated 'up to [CAD] 500,000' for victim services.<sup>17</sup> With little funding for community-based support services in this highly competitive funding stream, SWAN Vancouver sought other funding sources.

The list below highlights the best-known anti-trafficking funding sources for community-based support organisations in Canada.

### Government sources

#### Federal

- Department of Justice – Victims Fund
- Department of Public Safety – Contribution Programme to Combat Child Sexual Exploitation and Human Trafficking
- Status of Women Canada – Women's Programme
- United States-Embassy-Ottawa, Public Affairs Section – Community Partnership Grants

#### Provincial

- Ministry of Justice – Civil Forfeiture Crime Prevention and Remediation

### National public foundation

- Canadian Women's Foundation

## Status of Women Canada Case Study

In late 2012, one of the funders, Status of Women Canada, issued a call for anti-trafficking funding proposals. Status of Women Canada is a federal government agency that promotes equality for women. Focusing its efforts in three priority areas, it works to advance equality for women by increasing women's economic security and prosperity, encouraging women's leadership and democratic participation, and ending violence against women and girls.<sup>18</sup> In the past decade, Status of Women Canada has shifted its mission and politics from human rights to a violence against women framework, a shift that reflects the political direction of Canada's Conservative government, which has been in power since 2006. Indicative of such change, Status of Women Canada has been one of the strongest

<sup>16</sup> Government of Canada, *National Action Plan to Combat Human Trafficking*, 2012, retrieved 12 December 2013, <http://www.publicsafety.gc.ca/cnt/rsrscs/pblctns/ntnl-ctn-pln-cmbt/index-eng.aspx>

<sup>17</sup> Public Safety Canada, *National Action Plan to Combat Human Trafficking*, retrieved 23 March 2014, <http://www.publicsafety.gc.ca/cnt/rsrscs/pblctns/ntnl-ctn-pln-cmbt/index-eng.aspx>

<sup>18</sup> Status of Women Canada, 'Who We Are', retrieved 23 March 2014, <http://www.swc-cfc.gc.ca/abu-ans/who-qui/index-eng.html>

governmental proponents of the prohibition of sex work through anti-trafficking initiatives such as increasing penalties for sex work.

‘Working Together: Engaging communities to end violence against women and girls’ was Status of Women Canada’s 2012 funding stream for preventing and reducing the domestic trafficking of women and girls through community planning.<sup>19</sup> Included with the call for proposals was a *Local Safety Audit Guide: To Prevent Trafficking in Persons and Related Exploitation*, which was an instructional guide to aid in the completion of the funding application. The guide’s instructions were interspersed with a particular ideological perspective on sex work and human trafficking. The ‘Continuum of Prevention Options for Trafficking and Exploitation’ suggests a number of preventative approaches applicants could include in their funding applications: patrolling and surveillance of hot spots; regulation of bars, massage parlours, beauty salons etc.; and regular inspection and enforcement.<sup>20</sup>

Rather than preventing human trafficking, our experiences have shown that these approaches can harm sex workers and foster environments where human trafficking can occur. For example, continued surveillance of licensed massage parlours force some women to not carry condoms, or work in underground sex-work sectors in an attempt to evade police attention.

Status of Women Canada’s guide mentions law enforcement throughout as a necessary stakeholder in anti-trafficking efforts, but does not acknowledge the harm stemming from traditional law-enforcement approaches, with raids of sex-work businesses being a key example. The guide does refer to a series of raids that resulted in the arrest of ‘illegal’ migrants, documented in a 2000 Status of Women Canada-funded research project, ‘Trafficking in Women, Including Thai Migrant Sex Workers in Canada’:

Some women who choose to migrate to Canada may similarly find themselves forced to work in the sex industry, but the numbers are difficult to estimate. In 1997 a series of raids on massage parlours in Toronto resulted in the arrest of Thai and Malaysian women who were illegal migrants recruited to work in the sex trade.<sup>21</sup>

However, other research findings and recommendations from this research report warning against the use of police raids is not included in the instructional guide. The research found: ‘Canadian police agencies and the judicial system treated the women as criminals, as well as patronising them because of their sex, race and occupation. [...] Their rights to due process were violated.’<sup>22</sup> This research revealed how police raids resulted in the abuse and harassment of sex workers, and increased women’s debt when women’s earnings were confiscated by law enforcement. In the above 1997 example: ‘The women were left in jeopardy with no assistance from state authorities.’<sup>23</sup> Although the guide does not specifically endorse the use of police raids as a preventative strategy, we were concerned that excluding evidence against the use of police raids, coupled with numerous mentions of law-enforcement approaches, may facilitate the development of aggressive law-enforcement approaches.

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<sup>19</sup> Status of Women Canada, ‘Working Together: Engaging communities to end violence against women and girls’, retrieved 12 December 2013, <http://www.swc-cfc.gc.ca/fun-fin/cfp-adp/2012-2/index-eng.html>

<sup>20</sup> Ibid.

<sup>21</sup> Toronto Network Against Trafficking in Women, Multicultural History Society of Ontario, Metro Toronto Chinese and Southeast Asian Legal Clinic, *Trafficking in Women Including Thai Migrant Sex Workers*, Status of Women Canada, Canada, 2000, p. 25, retrieved 12 December 2013, <http://ccrweb.ca/en/trafficking-women-including-thai-migrant-sex-workers-canada>

<sup>22</sup> Ibid.

<sup>23</sup> Ibid.

Additionally, the guide included an entire section on addressing demand. Stating that ‘demand is at the root of trafficking and related forms of exploitation since the greater the demand, the greater the profits for the exploiters’, Status of Women Canada explicitly suggested applicants address the following questions in their projects: How many Johns<sup>24</sup> (sic) are there in your city? How big is the problem? What services and policies are needed to reduce demand?<sup>25</sup>

An approach that seeks to end demand for sex work to reduce trafficking jeopardises sex workers’ income and safety, and ignores significant structural factors and root causes of human trafficking such as gender inequality, poverty, increasingly stringent immigration policies and, in Canada among indigenous girls and women, colonialism.<sup>26</sup> Sex workers’ rights groups, researchers, and human rights-based anti-trafficking organisations have found that initiatives to end the demand for commercial sexual services have not reduced trafficking or violence against sex workers.<sup>27</sup> Instead, they increase law enforcement’s power over sex workers, threaten their working conditions by diminishing the number of respectful clients without reducing the number of predators, and ultimately silence the concerns, priorities and knowledge of sex workers.

SWAN did not submit an application to Status of Women Canada. We determined that the language used in the funding call did not support the call’s stated objective to prevent and reduce the trafficking of women and girls through community planning, and there was little space to ‘translate’ community needs into Status of Women Canada’s anti-prostitution language. We felt the funding call would effectively exclude organisations that work from a sex workers’ rights perspective. Furthermore, we felt the approaches proposed in the application would likely result in human rights violations against groups that are meant to be protected by anti-trafficking measures. In a letter to the Status of Women Canada dated 24 October 2012, SWAN expressed its concerns that the Status of Women Canada funding would not effectively counter trafficking but instead, only strengthen punitive approaches to sex work and stymie efforts to counter human trafficking. We asked for an opportunity to discuss our concerns, but did not receive a response. Our concerns were justified in 2013–2014. One of the groups Status of Women funded was PACT-Ottawa,<sup>28</sup> a coalition that includes Ottawa Police. On January 28, 2014, Ottawa Police issued a press release on behalf of the 26 police forces that were involved in the January 22 and 23, 2014 Canada-wide raids mentioned previously; PACT-Ottawa called the police effort a ‘necessary strategy’.<sup>29</sup>

<sup>24</sup> The purchasers of sexual services.

<sup>25</sup> Status of Women Canada, ‘Working Together: Engaging communities to end violence against women and girls’, retrieved 12 December 2013, <http://www.swc-cfc.gc.ca/fun-fin/cfp-adp/2012-2/index-eng.html>

<sup>26</sup> J Ham, *Moving Beyond ‘Supply and Demand’ Catchphrases: Assessing the uses and limitations of demand-based approaches in anti-trafficking*, GAATW, Bangkok, 2011, retrieved 12 December 2013, [http://www.gaatw.org/publications/MovingBeyond\\_SupplyandDemand\\_GAATW2011.pdf](http://www.gaatw.org/publications/MovingBeyond_SupplyandDemand_GAATW2011.pdf); S Dodillet and Östergren, ‘The Swedish Sex Purchase Act: Claimed success and documented effects’. Conference paper presented at ‘Decriminalizing Prostitution and Beyond: Practical experiences and challenges’, The Hague, Netherlands, 3–4 March 2011, retrieved 12 December 2013, <http://www.petraostergren.com/upl/files/54259.pdf>; Sex Workers Project at the Urban Justice Center, ‘What is “Demand” in the Context of Trafficking in Persons?’, retrieved 12 December 2013, <http://www.sexworkersproject.org/downloads/20050301TraffickingDemand.pdf>; S Thing, P Jakobsson and A Renland, ‘When Purchase of Sex is a Crime: About new legal measure and its impact on harm reduction among sex workers in Sweden and Norway’. Presented at International Harm Reduction Association’s 22nd International Conference, Beirut, Lebanon, 3–7 April 2011, retrieved 12 December 2013, <http://myweb.dal.ca/mgoodyea/Documents/CSWRP/CSWRPEUR/When%20purchase%20of%20sex%20is%20a%20crime.%20IHRA%202011.doc>

<sup>27</sup> Ibid.

<sup>28</sup> Status of Women Canada, ‘Harper Government takes action to combat human trafficking in Ottawa’, 2013, retrieved 23 March 2014, <http://www.swc-cfc.gc.ca/med/news-nouvelles/2013/0624-eng.html>

<sup>29</sup> Megan Gillis, ‘Hunting “sex slavery” victims’, *Ottawa Sun*, 28 January 2014, retrieved 25 May 2014, <http://m.ottawasun.com/2014/01/28/hunting-sex-slavery-victims---headline-underline-web-headline>

## Canadian Women's Foundation Case Study

In 2013, another funding opportunity came to our attention. The Canadian Women's Foundation is the country's only national public foundation dedicated to improving the lives of women and girls. Canadian Women's Foundation works in three key areas: ending violence against women, moving women out of poverty, and building strong resilient girls through funding, researching and promoting best practices. Since 1991, the Canadian Women's Foundation has funded over 1,000 programmes across Canada and is now one of the ten largest women's foundations in the world.<sup>30 31</sup> Its national reach and influence is considerable.

Recently, the Canadian Women's Foundation expanded its mandate to include ending human trafficking. The Canadian Women's Foundation is investing CAD 1.92 million in anti-trafficking initiatives<sup>32</sup> that focus solely on domestic human trafficking for the purpose of sexual exploitation, although their efforts targeting massage parlours<sup>33 34</sup> may impact migrant or immigrant sex workers. The Canadian Women's Foundation's funding is significant, as is their power to influence the development of anti-trafficking initiatives across the country. The Canadian Women's Foundation's anti-trafficking initiatives include funding community organisations that support victims, conducting research and finding solutions in six priority areas: (1) service needs and gaps for trafficked and sexually exploited women and girls; (2) public awareness and prevention strategies; (3) relevant legal and policy issues; (4) sector capacity building and training; (5) government policy and funding; (6) philanthropic strategy. The Canadian Women's Foundation also created a national task force that will develop a National Human Trafficking Strategy. At the time of writing, the task force was planning to make recommendations in spring 2014.

The Canadian Women's Foundation's anti-trafficking initiatives have caused great concern among anti-trafficking and sex workers' organisations. 'Facts' on the Canadian Women's Foundation's human trafficking website<sup>35</sup> are not empirically supported but will ground their National Human Trafficking Strategy:

- Girls that are trafficked for the purpose of sexual exploitation are victims of child abuse.
- The average age is 13 and is getting younger.

Other assertions, emailed nationwide, rely on inaccurate assumptions that are harmful to sex workers:

We define sexual exploitation as the exchange of sex or sexual acts for drugs, food, shelter, protection and other basics of life primarily through street level survival sex.<sup>36</sup>

The Canadian Women's Foundation included the above definition in its national online survey to 'gather an important national snapshot of the number of women and girls that

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<sup>30</sup> Canadian Women's Foundation, retrieved 12 December 2013, <http://www.linkedin.com/company/the-canadian-women%27s-foundation>

<sup>31</sup> The Robinson Group, 'Our Contribution', retrieved 30 March 2014, [http://therobinsongroup.ca/our\\_contribution/](http://therobinsongroup.ca/our_contribution/)

<sup>32</sup> Canadian Women's Foundation, retrieved 19 July 2014, <http://www.canadianwomen.org/taskforce>

<sup>33</sup> CBC News, 'Winnipeg massage parlours, escort services target of new rules', CBC, 10 February 2014, retrieved 25 May 2014,

<http://www.cbc.ca/news/canada/manitoba/winnipeg-massage-parlours-escort-services-target-of-new-rules-1.2531377>

<sup>34</sup> G Leo, '2 cities, 2 very different approaches to massage parlours', CBC, 27 March 2014, retrieved 25 May 2014, <http://www.cbc.ca/news/canada/saskatchewan/2-cities-2-very-different-approaches-to-massage-parlours-1.2587572>

<sup>35</sup> Canadian Women's Foundation, 'End Human Trafficking', retrieved 12 December 2013, <http://www.canadianwomen.org/trafficking>

<sup>36</sup> M. Adams, personal communication, 18 June 2013.

are trafficked and sexually exploited'.<sup>37</sup> With survey questions such as: 'What types of services are available to men who purchase sex (johns/consumers) in your community?', we would argue the Canadian Women's Foundation is more invested in abolishing sex work rather than countering human trafficking. Although the use of a research tool, such as a survey, connotes a 'neutral' information sharing strategy, the number of leading and close-ended questions left almost no discursive space for perspectives that do not confuse sex work with trafficking. The Canadian Women's Foundation's conflation of sex work and trafficking was further legitimised when both provincial and federal governments promoted the Canadian Women's Foundation's survey.<sup>38</sup>

SWAN Vancouver decided not to participate because of the strong bias and lack of rigour reflected in the survey's design. SWAN Vancouver made an in-person request on 27 February 2013 and an email request on 10 May 2013 to meet with the task force to discuss all of our concerns. Our requests went unanswered. We followed up with a letter that voiced our concerns about the task force's national consultation process, particularly how the task force has excluded community efforts that do not seek to eliminate sex work. We also inquired about the unsubstantiated 'facts' promoted on its website. The Canadian Women's Foundation responded with a letter that listed all the groups that were consulted but did not respond to the questions regarding the conflation of trafficking and sex work, the consequences this has for anti-trafficking efforts, and the unsubstantiated 'facts' on its website. In February 2014, three months before the end of the consultation process, the Canadian Women's Foundation met with six western-Canada-based sex-worker support organisations. Despite having had an opportunity to voice our concerns, to date the Canadian Women's Foundation has not demonstrated an evidence-based approach or insight into the possible consequences of using anti-trafficking work as a vehicle to promote anti-prostitution ideology.<sup>39 40</sup>

### Discussion: From rhetoric to responsibility

Throughout this paper, we have highlighted how limited funding opportunities are for organisations like SWAN Vancouver in Canada, including the problematic assumptions of funding calls that effectively constitute a continued moral crusade against sex work. In this section, we address how we, as an organisation, attempt to challenge this pervasive and problematic discourse.

SWAN Vancouver members are all volunteers with the exception of three paid part-time staff members, and we work collectively to determine the organisation's strategic direction. This includes identifying priorities to support women in indoor sex work within an increasingly challenging financial climate for grassroots organisations. Our funding is largely based on a patchwork of small grants, and like similar small organisations, we face three key financial challenges: systemic barriers to accessing funding opportunities, political impediments due to a lack of rights-based anti-trafficking frameworks, and ethical considerations around whether to accept such funding or not.

At the systemic level, SWAN Vancouver's grassroots nature, its limited resources and staffing can make it challenging to learn of, access and apply for funding opportunities.

<sup>37</sup> Canadian Women's Foundation, 'Service Provision for Human Trafficking and Sexually Exploited Women and Girls' [survey, now closed], retrieved 8 August 2013, <https://www.surveymonkey.com/s/VLVWW28>

<sup>38</sup> British Columbia Office to Combat Trafficking in Persons, *Staying Current*, Summer 2013, retrieved 8 August 2013, <http://www.pssg.gov.bc.ca/octip/docs/StayingCurrent.pdf>; Public Safety Canada, *Canada's Anti-Human Trafficking Newsletter*, July 2013, retrieved 8 August 2013, <http://www.publicsafety.gc.ca/cnt/rsrscs/pblctns/hmn-trffckng-nwslttr-2013-03/index-eng.aspx>

<sup>39</sup> CBC News.

<sup>40</sup> G Leo.

Since the majority of our efforts are focused on outreach and direct support, there are few opportunities—and very little time—to actively fundraise or seek out grant opportunities. Furthermore, there are few sizeable grants available for social services as a result of massive funding cuts over the last few years.<sup>41</sup> Of the few grants that are available to support sex workers, most federal, provincial and foundation-based funding fails to account for the range of human trafficking, which includes trafficking for labour exploitation, domestic servitude and organ trafficking.<sup>42</sup>

This leads to the second most prominent barrier for acquiring funding—the underlying political imperative that conflates human trafficking and sex work in order to abolish the latter. The Status of Women Canada and Canadian Women’s Foundation calls for proposals are key examples of how human trafficking has become the latest in a series of ‘trendy’ issues to be addressed when it comes to women’s rights issues in Canada. Unfortunately, as we have outlined in the previous section, both proposals rely on empirically inaccurate information about sex work and human trafficking.

In a letter dated 4 June 2013 to the Canadian Women’s Foundation after their outreach to anti-prostitution groups and their misleading national survey, Esther Shannon, a long-time feminist and former member of the Assistant Deputy Ministers’ Committee on Prostitution and Sexual Exploitation of Youth (2003–2007), stated clearly:

As with all organisations engaged in anti-trafficking efforts, the CWF [Canadian Women’s Foundation] has a high level of responsibility to seek out evidence-based findings on this highly complex issue. The CWF has the same level of responsibility when it comes to determining how its anti-trafficking work engages with issues related to sex work. Finally, the CWF must work to engage with all organisations with expertise on these issues.<sup>43</sup>

Status of Women Canada did not respond to concerns put forward by Shannon and SWAN Vancouver. The unwillingness or inability to address our concerns demonstrates a lack of responsibility in ensuring evidence-based work is financially supported in the fight against human trafficking. By muddying understandings of sex work and human trafficking and not including the voices of sex workers who do not self-identify as exploited or trafficked, both the Status of Women and the Canadian Women’s Foundation are fostering a (tired) discourse filled with misinformation that does a disservice to the realities, needs and priorities relevant to both trafficked persons and adult sex workers. This presents a serious ethical quandary about the responsibility of funding organisations and recipients to move beyond poorly-designed research initiatives and towards appropriate and relevant advocacy. It also brings us back to the two key dilemmas we highlighted at the beginning of this article:

1. Should we, as a grassroots organisation that supports sex workers’ rights, apply for and accept any funding that is framed around a problematic and harmful discourse that promotes an anti-prostitution and anti-migrant agenda?
2. Given our limited resources, should we actively participate in trying to influence and change these anti-prostitution and anti-trafficking frames when we can use that effort to provide direct services to the women we serve?

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<sup>41</sup> S Petrescu (2 September 2013), *op. cit.*

<sup>42</sup> D Haynes, ‘The eye of the beholder: How bad data, scrambles for funding and professional bias shape human trafficking law and policy’, 10 May 2012, retrieved 10 May 2012, <http://traffickingroundtable.org/2012/05/the-eye-of-the-beholder-how-bad-data-scrambles-for-funding-and-professional-bias-shape-human-trafficking-law-and-policy/>

<sup>43</sup> For more information, contact Esther Shannon at [emls@shaw.ca](mailto:emls@shaw.ca)

Although SWAN Vancouver has managed to continue its work despite no consistent or large pools of funding, the reality is we cannot fully support immigrant, migrant and trafficked women without this money. Furthermore, because human trafficking has become a ‘trendy’ issue, we recognise that only a few ‘experts’ are consistently called upon to re-purpose false information about sex work and human trafficking in Canada. This pattern negatively impacts understandings of the issue and the steps needed to ensure that responses to trafficking are grounded in a human rights-based approach.<sup>44</sup> Additionally, because staff turnover and staff changes are a regular occurrence at these funding organisations, our experience has shown that knowledgeable staff members are often replaced by those with little or no understanding of human trafficking linkages that encompass the issue. These individuals are often influenced by groups that have vocal political opinions that align with the current government approach to sex work. This appears to be the case of Status of Women Canada, an organisation that has previously funded projects that support the rights of sex workers (including SWAN Vancouver).

As a result, SWAN Vancouver must constantly consider the opportunity cost of applying for such funding. We carefully examine each funding call in order to determine whether there is an opportunity to shed light on the needs, realities and experiences of the women we serve. Should we succeed in securing funding, we then face an additional dilemma: how do we balance our funders’ expectations with our focus on much-needed support, such as access to legal information, health services and immigration assistance? As challenging as it often is, the question of ‘should we’ apply for such funding then becomes a question of ‘how can we’ use our funding applications to support sex-worker rights and evidence-based anti-trafficking approaches. With regard to the second question, we always opt to use our funding to support women directly despite the fact that doing so might affect our ability to tap into more consistent funding resources.

Although our primary focus will always remain on providing direct support to indoor sex workers, we have also recognised the importance of dialogue with law enforcement, community organisations and student groups in order to elevate an understanding of what human trafficking is and is not. Instead of challenging the status quo at a federal government level, SWAN Vancouver has become more active in roundtable discussions at the municipal and local levels. This is challenging work and can often be disheartening when seemingly positive discussions get sidetracked by misinformation or anti-prostitution political rhetoric—but it remains one of the few avenues that we have to insist on evidence-based approaches to human trafficking in Canada.

However, it remains critical that these funders embrace the implicit responsibility they have as donors: to work through their own ideologies and judgments about sex work. Unfortunately, the Canadian Women’s Foundation and Status of Women Canada case studies represent a squandered opportunity to organisations like SWAN Vancouver, one in which significant pools of money could be used to address human trafficking or, at a minimum, prevent collateral damage to sex workers from punitive anti-trafficking measures. Instead, it is likely that an aim to reproduce an anti-prostitution ideology will fail to translate into appropriate advocacy, policy, laws and ultimately support services that respect the linkages of labour, globalisation, poverty and migration within the context of a trafficked person’s life. In this way:

‘[H]uman trafficking then becomes a top down issue, when it needs to be bottom up—driven by the real needs recognised by victim service providers (and specifically including those victim services providers who are *not* soliciting federal funding, to provide objective data), and voiced by the victims themselves.’<sup>45</sup>

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<sup>44</sup> D Haynes (10 May 2012), *op. cit.*

<sup>45</sup> *Ibid.*

## Conclusion

The argument that misinformed anti-trafficking measures can cause more damage than help has been a growing global refrain since the Global Alliance Against Traffic in Women's (GAATW) 2007 report *Collateral Damage: The Impact of Anti-Trafficking Measures on Human Rights around the World*, particularly among sex-worker rights organisations. Additionally, the idea that anti-trafficking provides a convenient platform for donors, organisations, celebrities and other stakeholders to accrue social capital or boost their visibility has also been noted.<sup>46</sup> The reality is that this evidence of 'collateral damage', as well as the weakness of the sex work-trafficking link, has been enforced and reinforced through rigorous research over the last two decades—but such research continues to be ignored by some funders.

Our experiences as a small, grassroots collective engaging with donors on new anti-trafficking initiatives reflect these concerns. Given our reliance on grant-based funding and the power imbalance between us and our donors, we wanted to document how we weigh our responsibility to call for evidence-based, rights-based approaches in anti-trafficking against the risk that doing so will exclude us from much-needed funding opportunities. These decisions are made on a daily basis by us and also by other service providers in our community. We hope that revealing these decision-making processes will encourage more frank discussion about funder accountability and power dynamics between funders and funding recipients.

In as much as the funding we receive shapes and strengthens our work, the anti-trafficking funding we are excluded from (such as those espousing an anti-prostitution ideology) also shapes the political and practical environment we work in. As Status of Women Canada and the Canadian Women's Foundation fund projects that reflect an anti-prostitution, anti-migrant approach to trafficking, we are concerned that more anti-trafficking projects will result in negative consequences and human rights violations against sex workers and immigrants, and therefore, increase the need to assist women who have been anti-trafficked rather than trafficked.

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<sup>46</sup> E.g. C Hames, F Dewar and R Napier-Moore, *Feeling Good About Feeling Bad: A global review of evaluation in anti-trafficking initiatives*, GAATW, Bangkok, 2011, retrieved 12 December 2013, [http://www.gaatw.org/publications/GAATW\\_Global\\_Review.FeelingGood.AboutFeelingBad.pdf](http://www.gaatw.org/publications/GAATW_Global_Review.FeelingGood.AboutFeelingBad.pdf). S DasGupta, "'Your women are oppressed, but ours are awesome": How Nicholas Kristof and *Half the Sky* use women against each other', *Racialicious*, 8 October 2012, retrieved 22 July 2014, <http://www.racialicious.com/2012/10/08/your-women-are-oppressed-but-ours-are-awesome-how-nicholas-kristof-and-half-the-sky-use-women-against-each-other/>. R Galusca, 'Slave Hunters, Brothel Busters, and Feminist Interventions: Investigative journalists as anti sex-trafficking humanitarians', *Feminist Formations*, vol. 24, no. 2, 2012, pp. 1–24. AE Moore and MG Grant, 'Nicholas Kristof: Half the sky, all the credit', *POSTWHOREAMERICA*, 1 October 2012, retrieved 22 July 2014, <http://postwhoreamerica.com/nicholas-kristof-half-the-sky-all-the-credit/>. G Soderlund, 'The Rhetoric of Revelation: Sex trafficking and the journalistic expose', *Humanity: An International Journal of Human Rights, Humanitarianism, and Development*, vol. 2, no. 2, 2011, pp. 193–211.

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