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Parliamentary Brief: Human Trafficking

The relationship between disability, gender-based violence, race, and human trafficking must be further understood and addressed in Canadian anti-trafficking strategies. While research clearly demonstrates that trafficking leads to long-term physical and mental health disabilities for survivors,¹ there is a lack of recognition of the specific and heightened risks of diverse women, girls, and gender diverse people with disabilities to experience human trafficking in Canadian legislation, data collection, and reports, which further reinforces their marginalization and vulnerability to trafficking. Disability is not simply an added layer of oppression or vulnerability, but is central to the cycle between violent victimization, trauma and other adverse health and life outcomes, marginalization, and exploitation.

Conditions that make diverse women and girls with disabilities vulnerable to trafficking

Multitude of factors, rooted in systemic ableism and other forms of oppression, make girls, women, and gender diverse people with disabilities, especially those from historically marginalized groups (who are racialized, Indigenous, 2SLGBTQ+, and those living in poverty), not only vulnerable to, but targeted for trafficking. These factors include, and are not limited to, communications barriers, increased likelihood to live in poverty, lack of inclusive and affirming sexual education or access to sexual health services, reliance on or control of caregivers, stereotypes labelling them as not sexual or hypersexual, barriers accessing the criminal justice system, and not being believed when reporting abuse.²

Research indicates that child abuse is a risk factor for sex trafficking,³ which speaks to the vulnerability of women, girls, and gender diverse people with disabilities in Canada given that, according to Statistics Canada, 39% of girls with disabilities report having been sexually assaulted before the age of 15.⁴ There is a positive correlation between childhood sexual violence, re-victimization and adverse life outcomes throughout the life course, including mental health conditions, addictions, social exclusion, and poverty.⁵ These factors have been identified by Public Safety Canada as risk factors to human

¹ Dell, N. A., Maynard, B. R., Born, K. R., Wagner, E., Atkins, B., & House, W. (2019). Helping survivors of human trafficking: A systematic review of exit and postexit interventions. *Trauma, Violence & Abuse, 20*(2). Casassa, K., Knight, L., & Mengo, C. (2021). Trauma bonding perspectives from service providers and survivors of sex trafficking: A scoping review. *Trauma, Violence & Abuse, 23*(3); Conroy, S. (2022). Trafficking in persons in Canada, 2021. *Statistics Canada*, December 6, 2022. Available at: <https://www150.statcan.gc.ca/n1/pub/85-005-x/2022001/article/00001-eng.htm>

² Reid, J. A. (2018). Sex trafficking of girls with intellectual disabilities: An exploratory mixed methods study. *Sexual Abuse, 30*(2), 107-131.; Ledingham, E., Wright, G. W., & Mitra, M. (2022). Sexual violence against women with disabilities: experiences with force and lifetime risk. *American journal of preventive medicine, 62*(6), 895-902.

³ Baird, K., & Connolly, J. (2023). Recruitment and entrapment pathways of minors into sex trafficking in Canada and the United States: A systematic review. *Trauma, Violence, & Abuse, 24*(1), 189-202.

⁴ Cotter, A. (2018) Violence and Victimization of Women with Disabilities. *Statistics Canada*. Available at: <http://www.statcan.gc.ca/pub/85-002-x/2018001/article/54910-eng.pdf>

⁵ Font, S. A., & Maguire-Jack, K. (2016). Pathways from childhood abuse and other adversities to adult health risks: The role of adult socioeconomic conditions. *Child abuse & neglect, 51*, 390-399; Peterson, C., Florence, C., &



trafficking.⁶ It is clear that women and girls with disabilities are particularly vulnerable to human trafficking throughout their life as many of them experience a cycle of violence, re-victimization and trauma, worsening disabilities, and invisibility.

The patterns of sexual violence experienced by women and girls with disabilities reveal a form of exploitation that must be addressed in anti-trafficking strategies. Specifically, violent victimization against women and girls with disabilities often starts in childhood and increases possibilities of revictimization in other life stages, often by multiple perpetrators who are often in positions of power and trust. These patterns occur precisely because the survivors have disabilities: violence and exploitation are sometimes perceived as justified or permissible, victims are deemed less credible, and they may rely on the abusers for caregiving, housing, and other basic needs. The repeated nature of violence paired with its invisibility leads to its normalization for women and girls with disabilities over the life course, making it hard to recognize.

Intersectional experiences of trafficked victims with disabilities

The intersectional experiences of diverse women, girls, and gender diverse people with disabilities are particularly missing from Canadian trafficking reports, and responses—sustaining barriers for the most marginalized. Research illustrates that women and girls with intellectual, cognitive, and severe physical disabilities, as well as those with mental health conditions, are particularly vulnerable to childhood sexual violence, gender-based violence, and human trafficking because perpetrators perceive them as easier to manipulate, less likely to report, and to be believed. A nation-wide American study found that girls with cognitive and severe physical disabilities were more likely than girls without disabilities to have experienced sex trafficking: approximately 1 in 10 girls with severe physical or cognitive disabilities had experienced sex trafficking.⁷ A study examining the trafficking case records of Florida found that girls with intellectual disabilities represented 28% of all sex trafficked minors, but represent 1-3% of the American population.⁸ Moreover, women with invisible disabilities, such as those living with a traumatic brain injury (possibly acquired through violence), are particularly invisible in research and responses to trafficking, even though they are most likely overrepresented among victims of repeated violence and exploitation.

Racial discourses and ideologies within Canada and the Western world, which are rooted in colonization, settler colonialism, and systemic racism, contribute to creating marginalization and vulnerability to sex trafficking, predation and criminalization for Black and Indigenous girls, women, trans

Klevens, J. (2018). The economic burden of child maltreatment in the United States, 2015. *Child abuse & neglect, 86*, 178-183.

⁶ Public Safety Canada (2023). About Human Trafficking. <https://www.publicsafety.gc.ca/cnt/cntrng-crm/hmn-trffckng/abt-hmn-trffckng-en.aspx>

⁷ Franchino-Olsen, H., Silverstein, H. A., Kahn, N. F., & Martin, S. L. (2020). Minor sex trafficking of girls with disabilities. *International journal of human rights in healthcare, 97-108*.

⁸ Reid, J. A. (2018). Sex trafficking of girls with intellectual disabilities: An exploratory mixed methods study. *Sexual Abuse, 30*(2), 107-131



and gender non-conforming populations.⁹ Scholars argue that racial stereotypes of hypersexualization, inferiority, and impurity, that stem from the history of chattel slavery and Indigenous dispossession, make Black and Indigenous women, girls, and gender diverse people more likely to be targeted for sexual violence and exploitation, and sexual crimes against them are less likely to be investigated by law enforcement.¹⁰ Current legal frameworks addressing trafficking and sex work often overstate the overlap between sex trafficking and sex work, which in turn, creates a dichotomy of ‘victims’ between innocent (often white) victims forced to engage in sex work and promiscuous (often Black, Indigenous, and racialized) women, girls, and gender diverse people who are deemed to do it by choice, and are often criminalized for their exploitation.¹¹

The limited data available on race shows that Black, racialized, and Indigenous women, girls, and gender diverse people are vastly overrepresented as survivors of trafficking. In 2016, Public Safety Canada reported that approximately half of trafficking victims in Canada are Indigenous women, girls, and two-spirit individuals, even though they represent 4% of the Canadian population. Historical and ongoing forms of colonialism, including residential schools, intergenerational trauma, systemic racism, inadequate access to affordable and safe housing, barriers to education and employment, make Indigenous women and girls particularly vulnerable to gender-based violence and trafficking specifically.¹² These same factors, paired to increased likelihood of violent victimization, make Indigenous women, girls, and two-spirit people especially survivors of violence, more likely to live with a disability, including invisible disabilities such as traumatic or acquired brain injury and mental health conditions. Anti-trafficking strategies, especially those targeting Indigenous women and girls, must consider how disability shapes their specific and heightened vulnerability to exploitation, trafficking, and violence more broadly.

Finally, research demonstrates that 2SLGBTQI+ youth are overrepresentation among trafficking survivors. Canadian data reveals that 2SLGBTQI+ youth experience higher prevalence of homelessness than other youth, and this due to family rejection, abuse, and systemic discrimination, which makes

⁹ Brooks, S. (2021). Innocent white victims and fallen black girls: Race, sex work, and the limits of anti-sex trafficking laws. *Signs: Journal of Women in Culture and Society*, 46(2), 513-521.; Gonzalez, C. M. F. (2022). The Intersection of Race and Gender in Human Trafficking Vulnerability and Criminalization. In *Diversity in Criminology and Criminal Justice Studies* (Vol. 27, pp. 115-131). Emerald Publishing Limited.

¹⁰ Razack, S. H. (2016). Gendering disposability. *Canadian Journal of Women and the Law*, 28(2), 285-307.; Brooks, S. (2021). Innocent white victims and fallen black girls: Race, sex work, and the limits of anti-sex trafficking laws. *Signs: Journal of Women in Culture and Society*, 46(2), 513-521

¹¹ Brooks, S. (2021). Innocent white victims and fallen black girls: Race, sex work, and the limits of anti-sex trafficking laws. *Signs: Journal of Women in Culture and Society*, 46(2), 513-521

¹² National Inquiry into Missing and Murdered Indigenous Women and Girls. (2019). *Reclaiming Power and Place: The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls. Volume 1a* (Vol. 1a); Olson-Pitawanakwat, B., & Baskin, C. (2021). In between the missing and murdered: The need for Indigenous-led responses to trafficking. *Affilia*, 36(1), 10-26.



makes them a target for trafficking.¹³ American studies further determined that racialized trans youth experience heightened vulnerability to sex trafficking,¹⁴ and were more likely to experience repeated criminalization (and incarceration) before being recognized as trafficked survivors, due to inadequate legal protections, systemic racism within the criminal justice system, and the normalization of violence against trans people.¹⁵ The intersection between disability and 2SLGBTQI+ is important given that one of the pathways to sexual exploitation and trafficking is substance misuse and mental health conditions.¹⁶ A disability lens that focuses on understanding and meeting the needs of diverse women and girls is essential to address the mechanisms that make 2SLGBTQI+ youth vulnerable to trafficking.

Lack of data

The federal government does not name women and girls with disabilities as one of the most at-risk groups, even though women and girls with disabilities are overrepresented in all the identified at-risk groups, namely Indigenous women and girls, 2SLGBTQI+ persons, children and youth in the child welfare system, and those who are socially and economically disadvantaged.

Statistics Canada reports on human trafficking do not provide disaggregated on disability, race, Indigenous status, or family income, and Canadian research on human trafficking of diverse women and girls with disabilities is lacking. When disability is recognized as factor of vulnerability to trafficking,¹⁷ it is ungendered: it includes all persons with disabilities, without addressing the specific and heightened risks of women, girls, and gender diverse people with disabilities or specific vulnerabilities created by intersecting oppressions.

Additionally, there is a lack of research and data on labour exploitation of women, girls, and gender diverse people with disabilities in Canada and globally. Yet, trafficking and disability research

¹³ Hogan, K. A., & Roe-Sepowitz, D. (2023). LGBTQ+ homeless young adults and sex trafficking vulnerability. *Journal of Human Trafficking*, 9(1), 63-78.

¹⁴ Tomasiewicz, M. (2018). *Sex trafficking of transgender and gender nonconforming youth in the United States*. Chicago: Loyola University School of Law Center for the Human Rights of Children.

¹⁵ Gonzalez, C. M. F. (2022). The Intersection of Race and Gender in Human Trafficking Vulnerability and Criminalization. In *Diversity in Criminology and Criminal Justice Studies* (Vol. 27, pp. 115-131). Emerald Publishing Limited.

¹⁶ Ibid.

¹⁷ Public Safety Canada (2018) The Way Forward to End Human Trafficking. *National Consultations Discussion Paper*. Available at: <https://www.publicsafety.gc.ca/cnt/rsrscs/pblctns/wy-frwrdr-nd-hmn-trffckng-ppr/index-en.aspx>; Ontario. (n.d.) Ontario's anti-human trafficking strategy 2020-2025. Available at: <https://www.ontario.ca/page/ontarios-anti-human-trafficking-strategy-2020-2025>



suggest that people with disabilities, especially women and those who are immigrants, may be coerced into underpaid and inadequate working conditions.¹⁸

Recommendations

1. Address the systemic barriers that make women and girls with disabilities and other groups more vulnerable to trafficking: isolation, social exclusion and discrimination, low income and poverty, housing precarity, inadequate access to the justice system and other support services.
2. Dismantle laws that perpetuate discriminatory law-enforcement practices with Black, Indigenous, and other racial minorities.
3. Establish funding and partnership mechanisms that strengthen community capacity and that connect and sustain allies in their collective work to recognize, prevent, and address GBV and trafficking of women and girls with disabilities.
 - This includes funding and supports to civil society organizations, GBV and trafficking services, family members and caregivers, and the general population, to engage in education and training opportunities.
4. Integrate an intersectional approach to provincial, territorial, and federal inquiries into systemic violence that recognizes how multiple systems of oppression are interconnected.
5. Explicitly name women, girls, and gender diverse people with disabilities, especially those living with intellectual, invisible, or mental health conditions, as well as those who are racialized or Indigenous, as facing a higher risk of trafficking in human trafficking policies.
 - Integrate measures addressing the specific and heightened dynamics of trafficking of diverse women, girls, and gender diverse people with disabilities in human trafficking policies. Women, girls, and gender diverse people with disabilities must not be subsumed within the category of «women» or « people with disabilities » and/or relegated to a footnoted list.
6. Collect disaggregated data on all forms of human trafficking, including specific data for women and girls with disabilities and Deaf women and girls.
7. Use an intersectional approach in the analysis of human trafficking; women with disabilities who are trafficked are not a homogenous group. An intersectional analysis should consider their type of disability, social class, race/ethnicity, and sexuality which significantly shape their vulnerability and experiences.
8. Center disability in anti-trafficking strategies as many women become disabled through the trafficking process, which puts them at higher risk for re-victimization.
9. Educate police, victim services staff, prosecutors and judges, hospital staff, social workers, community stakeholders, front line health workers including doctors and nurses, people who

¹⁸ Wilton, R., & Schuer, S. (2006). Towards socio-spatial inclusion? Disabled people, neoliberalism and the contemporary labour market. *Area*, 38(2), 186-195.; Radeva Berket, M. (2015, October). Labour exploitation and trafficking for labour exploitation—trends and challenges for policy-making. In *ERA Forum* (Vol. 16, No. 3, pp. 359-377). Berlin/Heidelberg: Springer Berlin Heidelberg.



support women with disabilities including attendants and interpreters, and women and girls with disabilities on the risks and issues related to trafficking.

10. Commit to an anti-racist and anti-colonial framework and to the meaningful participation of disability civil society organizations working with diverse women and girls with disabilities and other civil society organizations representing groups particularly vulnerable to trafficking in designing and implementing anti-trafficking responses and monitoring mechanisms.
11. Connect funding to appropriate, accessible, inclusive, affirming, and culturally-sensitive trauma-informed supports for survivors of GBV and trafficking.