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Standing Committee on Justice Policy

Protection from Coerced Debts
Incurred in relation to Human
Trafficking Act, 2023

1st Session
43rd Parliament

Monday 10 July 2023

Comité permanent de la justice

Loi de 2023 sur la protection
contre les dettes contractées
sous la contrainte
dans un contexte de traite
de personnes

1^{re} session
43^e législature

Lundi 10 juillet 2023

Chair: Goldie Ghamari
Clerk: Thushitha Kobikrishna

Présidente : Goldie Ghamari
Greffière : Thushitha Kobikrishna

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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**STANDING COMMITTEE ON
JUSTICE POLICY**

Monday 10 July 2023

**COMITÉ PERMANENT
DE LA JUSTICE**

Lundi 10 juillet 2023

The committee met at 1000 in committee room 2.

**PROTECTION FROM COERCED DEBTS
INCURRED IN RELATION TO HUMAN
TRAFFICKING ACT, 2023**

**LOI DE 2023 SUR LA PROTECTION
CONTRE LES DETTES CONTRACTÉES
SOUS LA CONTRAINTE
DANS UN CONTEXTE DE TRAITE
DE PERSONNES**

Consideration of the following bill:

Bill 41, An Act to amend the Consumer Reporting Act and the Prevention of and Remedies for Human Trafficking Act, 2017 with respect to certain debts incurred in relation to human trafficking / Projet de loi 41, Loi modifiant la Loi sur les renseignements concernant le consommateur et la Loi de 2017 sur la prévention de la traite de personnes et les recours en la matière à l'égard de certaines dettes contractées dans un contexte de traite de personnes.

The Clerk pro tem (Ms. Vanessa Kattar): Good morning, honourable members. In the absence of a Chair and a Vice-Chair, it is my duty to call upon you to elect an Acting Chair. Are there any nominations? MPP Hogarth.

Ms. Christine Hogarth: I'd like to nominate MPP Quinn.

The Clerk pro tem (Ms. Vanessa Kattar): Does the member accept the nomination?

Mr. Nolan Quinn: Yes.

The Clerk pro tem (Ms. Vanessa Kattar): Are there any further nominations? There being no further nominations, I declare the nominations closed and MPP Quinn elected as Acting Chair of the committee.

The Acting Chair (Mr. Nolan Quinn): I call this meeting of the Standing Committee on Justice Policy to order. We are meeting today to begin public hearings on Bill 41, An Act to amend the Consumer Reporting Act and the Prevention of and Remedies for Human Trafficking Act, 2017 with respect to certain debts incurred in relation to human trafficking.

Before we begin our public hearings, I'd like to inform the committee that we have received a request from a witness to present anonymously to the committee today. This would require the witness to have their own time slot and would require the committee to move into closed session.

Is there agreement from the committee to allow the witness to appear anonymously at 3 p.m. in closed session and for broadcasting staff to remain in this room to operate the microphones, as the witness will be appearing virtually? Thank you.

The committee has agreed to allow the witness to appear in closed session at 3 p.m. and have broadcast staff remain in the room to operate the microphones.

Are there any questions before we begin our public hearings? No.

I will now call on the sponsors of the bill: MPP Collard, MPP Glover, MPP Scott and MPP Schreiner. You will have up to 20 minutes for your presentation, followed by 40 minutes of questions from the members of the committee. The questions will be divided into two rounds of 7.5 minutes for the government members, two rounds of 7.5 minutes for the official opposition members, and two rounds of five minutes for the independent member of the committee.

Members, the floor is yours. Please begin.

M^{me} Lucille Collard: Thank you, Chair. I'll start and, of course, I will be sharing my time with my colleagues.

Good morning, everyone, and thank you to the members of the committee for taking on this study of Bill 41. I'm very grateful that the committee is acknowledging the importance of supporting survivors of human trafficking to help them on the path to recovery.

Human trafficking is a terrible crime that destroys lives. It is concerning and disturbing to realize that in 2023, such crime associated with slavery not only still exists, but has found new sources for its expansion; namely, through virtual means. Clearly, law enforcement alone is not sufficient to fight this crime, and Parliaments need to intervene with legislation. The proposed legislation in Bill 41 covers one aspect of needed measures that can bring concrete relief to survivors. This will allow those who have survived the traumatic violence of trafficking, predominantly vulnerable young women, to be able to look forward to a brighter future.

Specifically, Bill 41 would address the problem of coerced and fraudulent debt survivors of human trafficking carry post-exploitation. I had initially tabled this proposed legislation as Bill 99 on March 10, 2022. This proposed legislation is co-sponsored by members from every party in the Legislative Assembly as a result of several discussions that led to a consensus on the necessity to show a unified front on the question that is clearly non-

partisan. I want to thank my colleagues for their openness and willingness to move this bill forward.

I am certain that each of you can appreciate the courage it takes for someone to be able to remove themselves from a very vicious and dangerous cycle of manipulation. Acknowledging and addressing the existence of debts that have been forced onto survivors is an essential step in enabling recovery.

For clarity, human trafficking is the trade of humans for the purpose of forced labour, sexual slavery or commercial sexual exploitation. Human trafficking is distinct from people smuggling, which is characterized by the consent of the person being smuggled. That being said, many people entering our territory on these terms often become ideal victims and end up being trafficked as well. But the vast majority of the victims—93%—are Canadian victims.

Human trafficking is a deeply intersectional issue. Some 95% of those impacted are women, and a disproportionate amount are Indigenous, low-income, racialized, homeless and young people. The government has made many initiatives to improve police efforts against trafficking, but it is also important to be there for survivors after they have been freed. Holistic supports such as housing, medical assistance, counselling, education and work opportunities are all essential.

All of these opportunities are made more difficult if a survivor must bear the burden of debts that were forced onto them while they were under the control of human traffickers. Eliminating this issue is only a small part of addressing human trafficking—with a lot of potential—but it is still a notable issue with a clearly available solution.

I've learned a lot over the last three years on this issue. I've met with survivors who willingly told me their stories of hardship. You may hear some of the same today. I've spoken to advocates, elected officials and support organizations that have been involved, trying to help. I've also engaged in consultations with several stakeholders in the credit business. Everyone should be on board with this legislation's objective of bringing relief to survivors by helping them remove credit information that prevents them from finding a new, healthy and stable path.

That being said, we will need to ensure that the regulations of this bill are set in an empathetic and professional way. For example, there will be a need to find balance between accountability and the need to not revictimize the survivors with an unreasonable burden of proving coercion and fraud. I know that everyone wants to collaborate on this, so I am quite confident that we can find that correct balance.

You will now hear from the co-sponsors of the bill. I thank them profusely for their support and for being here today to speak to the members of the committee about the importance of this bill. Thank you, Mr. Chair.

Mr. Chris Glover: I'm actually honoured to be sitting here with members from all the parties to support Bill 41. For me, as a legislator in my fifth year, this is, I think, some of the most important legislation that I've had the

opportunity to work on. This has an opportunity to absolutely transform the lives of survivors. I won't repeat what the others have said or are going to say, but I want to provide a little bit of background.

I met Richard Dunwoody when he had set up a group called Project Comfort to help people who are experiencing homelessness in shelters in Toronto. While he was doing that work, I went with him a few times, and we were having barbecues and other events—because these people who are experiencing homelessness are part of our community; that was something he constantly emphasized. While he was working there, he came across a lot of survivors of human trafficking, primarily young women who had escaped their traffickers. One of the things that he realized is that they could not move out of the shelter, because many of them had had their credit ratings destroyed by their traffickers. The traffickers would take out OSAP loans in their names. They'd go into a bank and get them to sign for a credit card and then run up the credit card. They had fines from driving cars that were taken out in their names—but the trafficker didn't have insurance on the car, so they had those fines. There were also hospital bills that some incurred. In the witness statements today, you can see there's a statement from one who was pursued by a hospital for a hospital bill.

This work, what we're trying to do today with Bill 41, is to remove those fraudulent debts from the survivors of human trafficking. It's something where all parties from all sides of the Legislature, I think, can come together and make sure this happens.

MPP Collard was mentioning that we need to make sure that we get this right in regulation. We want to make sure that the survivors are treated with respect and kindness and not revictimized through whatever process they need to go through to determine that this was a fraudulent debt, that they are survivors. So there are some suggestions in the witness statements that we should look at. I want to just put that on the record, on Hansard—that when the regulations are being developed, that those who are developing the regulations should look at those in order to create a system for determining these debts that doesn't revictimize and treats the survivors with respect. There was one witness statement that I was reading in here where the survivor was talking about how when she met Project Recover and Richard Dunwoody, it was the first time in a long time that she had been treated with respect and she was believed. So we want to make sure that is carried on through the regulatory process.

1010

The Acting Chair (Mr. Nolan Quinn): MPP Schreiner.

Mr. Mike Schreiner: I, too, want to acknowledge the co-sponsors of Bill 41 and thank MPP Collard for bringing this forward. I think the fact that this is the second bill in Ontario's history that has been co-sponsored by all four parties highlights the importance of this issue and the important difference this bill can make in people's lives. If passed, this bill would provide an opportunity for survivors to be free from coerced or fraudulent debt that

was incurred in the name of their trafficker—from bad credit scores that prevent people from renting an apartment or getting a car loan or applying for a school loan. This bill, in many respects for survivors, is about opportunity—the opportunity to do things that so many of us take for granted, like applying for a credit card, being able to rent an apartment, being able to purchase a car, being able to apply for a school loan, being able to get a mortgage to buy a home. So many of the things that so many people sometimes take for granted are not available to survivors of human trafficking due to fraudulent and coerced debt, and we have an important opportunity today to change that.

The other thing that it will do—and this is something that a meeting with a survivor really brought home to me personally—is that this will prevent the retraumatization and revictimization of survivors. One survivor said, “Imagine the trauma I feel every time the phone rings and I think of being trafficked, every time a debt collection agency”—or it could be a hospital, or it could be somebody trying to collect on debt that wasn’t this person’s responsibility. This survivor said to me, “I am retraumatized and revictimized to the point where I almost don’t even want to pick up the phone. I’m afraid every time I hear the phone ring. I’m reminded of a horrific chapter in my life that I want to get past.” She said to me, “If you could just say to other MPPs what a difference this will make in my life, just to be able to go through life on a day-to-day basis and not worry about the phone ringing and being retraumatized and revictimized again.”

So, yes, it’s about the money, but I would argue that it’s about more than the money. It’s about getting a person’s life back. It’s about creating opportunities for a new and better life.

I do want to echo what my colleagues have said about just how important it is, hopefully, we pass this bill and as we write the regulations for this bill, that survivors be at the forefront and their lived experience be a part of designing the regulations of how this legislation, if passed, will be enforced.

The Acting Chair (Mr. Nolan Quinn): MPP Scott.

Ms. Laurie Scott: I’m very happy to be here today with the MPP from Ottawa–Vanier, who has driven Bill 41, Protection from Coerced Debts Incurred in relation to Human Trafficking Act, and gathered other colleagues from across the political spectrum—we’re all here today—who support this bill.

For many years, I have been working on the file of prevention of human trafficking, awareness and different facets of it, and I have enjoyed all-party support as those bills have gone through the Legislature in the last eight or so years.

Human trafficking is a real and persistent danger to our children and our young people. They’re being abused, bought and sold across our cities, but also in rural Ontario. I know in the general public, they think it’s an international crime still, when, in actuality, the victims are 90% domestic. The average age, I think, when I started my work on this was 14 years of age. Unfortunately, I think

it’s about 13 now. Young victims are coming forward as young as 11. Unfortunately, it’s one of the fastest-growing crimes in Ontario.

I know that many people are going to be here today to testify and bear witness. My colleagues have been very eloquent in their speaking about this horrific industry, this horrific crime, and that we need to do more. This is a piece of the puzzle going forward. There will be more; there’s always more to do in this. But it’s from their stories from the survivors, the victim services, the police officers, the community groups over the years that we’ve learned how this crime is growing, becoming smarter. It’s hard to keep up.

When you listen to the stories and the fact that, if we can save them, the survivors have to overcome so much, and when you listen to the fact that they can’t overcome the debts, that they can’t move on with their lives, they can’t get credit, and the very many facets of debt that exist—provincial, federal. The perpetrators have, of course, put everything in their names, from hotel rooms to car loans to anything that they can.

I have a story of Megan, who was able to purchase—after meeting with Richard Dunwoody, who did create Project Recover, and I thank him greatly for that, she was able to get out from her debts, purchase a new car, get car insurance, rent a small basement apartment and get a part-time job. She said Project Recover literally saved her life. She couldn’t see a way out.

I know that Victim Services Toronto is going to be heard later today also. They’ve taken over Project Recover. But they need all of us, as legislators, as people just in our communities, telling these stories, making people aware, making our communities look to see what’s maybe unusual, maybe how they can help someone.

I know that the bill is not without its complications as it spreads many ministries, but there’s such collective goodwill to see how this works. Whether it’s the Attorney General, whether it’s MCCSS, we, I think, all know and are made more aware every day of what is going on in our society and how we can help survivors recover.

I am wholeheartedly thankful to MPP Collard for bringing this forward and happy of the all-party support. Thank you, Mr. Chair.

The Acting Chair (Mr. Nolan Quinn): Thank you, MPP Scott. There’s still four minutes left, if anyone has anything else to add.

Interjections.

The Acting Chair (Mr. Nolan Quinn): Thank you. This round of questions will start with the official opposition.

MPP Kristyn Wong-Tam: Thank you very much for your deputation, for the encouraging collaboration that I think hopefully we can see more and more across many other types of bills.

The advocacy that is bringing this bill forward I think is very compelling. In many ways, I suspect that you’ve had opportunities to speak to survivors. I’m just curious to know, are there any particular moments from those conversations that you could share that would really highlight

for all of us what would happen if this bill didn't go ahead? What would be the pending result?

M^{me} Lucille Collard: Sure. I can speak briefly to that. I think there have been a few examples already. I think MPP Schreiner gave specific examples, like people being traumatized by creditors phoning them, harassing them. I don't think anyone can rebuild their life in that kind of a state of mind. If we don't do anything, we're actually giving up on those survivors. We're letting them continue to ruin their lives with the potential of re-falling into that same hardship that they were courageous enough and strong enough, with the help of some advocates, to get out of.

The status quo, I think, is impossible right now. Knowing all that we do know, I think it's absolutely crucial that we do something about it.

MPP Kristyn Wong-Tam: Thank you. And—oh, sorry. Go ahead.

Mr. Chris Glover: I'd like to add to that. I think on the other side of it, there's the retraumatization with every time they get a call from a creditor. On the other side, one of the things that Project Recover has been able to do is get people into housing and get people back into school. There are several cases where people have gone back and completed a college diploma or university degree that they had actually started when they were initially kidnapped into trafficking, and now they're moving on with their lives, as MPP Collard said. So it is really, really vital that the Legislature pass this and that we develop the regulations so that this is implemented.

1020

MPP Kristyn Wong-Tam: Thank you. And I'm just—

Mr. Mike Schreiner: And one thing—

MPP Kristyn Wong-Tam: Yes, please do.

Mr. Mike Schreiner: Just real quick—when you think about this bill and you talk to survivors, you realize what role credit plays in everything you can do in your life. Think of how many places now where you can't even make a purchase without a credit card. So many places, since the pandemic, don't accept cash anymore, and if you don't have a credit score to be able to get a credit card, it's hard to even just buy basic things in your day-to-day life, let alone be able to get a car to drive to work, to be able to rent an apartment, to be able to get a loan to go to college or university to improve your employment situation. So much of our day-to-day lives are affected by our ability to access credit, and if you're unable to do that, completely out of your control, that just has devastating consequences on people to just even do the basic day-to-day living in our society.

Ms. Laurie Scott: I might as well join in.

MPP Kristyn Wong-Tam: Please do.

Ms. Laurie Scott: Just to build on what MPP Schreiner has said, many victims don't leave because they can't see a path. They can't escape. It's almost like financial slavery, if I can use that word, right? "Where am I going to get groceries from? Where am I going to stay? I can't get credit. I can't move out. I don't know how to handle these debts." They give up, and they can't leave. It's like the invisible door. People will often say, "Why can't they

just escape?" This is part of the puzzle and the story of why they can't escape. Good people have come forward and helped them, and now there are more networks of people that can help them out of the financial debt, and that's part of why we're here today.

MPP Kristyn Wong-Tam: Thank you. MPP Scott, you correctly noted that there are many different pieces that have to come together in order for someone to sort of re-stitch their financial profile up in a way that is public-facing and creditworthy—I'm putting that into quotes; I know Hansard is not going to record the visual, but I just want it recognized. We are all evaluated these days based on how much we are worth, how much we can apply for, whether it's a loan through a bank or other means. I'm just curious—this bill sort of touches one piece. Are there any other components that need to be in place in order for the legislative tool to be comprehensive and whole so that we can reconstitute someone's—not just credit history in a profile that allows them to be public-facing and forward-facing, but that enables us to give them a pathway to more opportunities, whether it's employment or other types of training, getting them back into school if they want to complete that? Are there other things that need to accompany this bill?

Ms. Laurie Scott: I can speak that there are a lot of organizations—it depends what community you're in—that do treat the survivors as a whole and connect them. There are different programs, both federally and, I believe, provincially, that help them with employment and funds tied to that. Certainly, further education—there are opportunities there. I don't think they have to accompany this bill, is what I'm saying, and I think there are different programs that different governments have brought in that are based in the communities to help with what an individual specifically needs. I know even through the—I'm going to get all these names wrong—victim services, for example, for immediate treatment for mental health and addictions service. So it is complex, and the trauma is very severe.

Speaking of the willing people, I know we didn't bring it up and I don't think anyone is here today, but the Canadian Bankers Association—

The Acting Chair (Mr. Nolan Quinn): One minute left.

Ms. Laurie Scott: —has endorsed this. Toronto victim services, of course, is involved. Equifax Canada, which is the largest credit bureau in Canada, has endorsed this. TransUnion has endorsed this and the Canadian Credit Union Association.

Awareness: How can we help? What are the next stages? Today's bill is a piece, but it's going to be evolving. I think a lot of it doesn't have to be government legislation; it has to be awareness in communities and those providers.

The Acting Chair (Mr. Nolan Quinn): We'll move over to the government side for questions. No questions?

We'll move back to the official opposition for questions.

MPP Kristyn Wong-Tam: No more questions, just with thanks.

The Acting Chair (Mr. Nolan Quinn): Thank you, members, for your time. We will recess until 11 o'clock.

The committee recessed from 1026 to 1100.

CANADIAN CENTER FOR
WOMEN'S EMPOWERMENT
CANADIAN CENTRE TO END
HUMAN TRAFFICKING
TORONTO POLICE SERVICE

The Acting Chair (Mr. Nolan Quinn): The remainder of the presenters today have been scheduled into groups of three for each one-hour time slot. Each presenter will have seven minutes for their presentation. After we have heard from all three presenters, the remaining 39 minutes of the time slot will be for questions from members of the committee. The time for questions will be broken down into two rounds of 7.5 minutes for the government members, two rounds of 7.5 minutes for the official opposition, and two rounds of four and a half minutes for the independent member.

I will now call on Meseret to speak. You will have seven minutes for your presentation. Please state your name for Hansard, and you may begin.

Ms. Meseret Haileyesus: My name is Meseret Haileyesus. I'm the founder and executive director of the Canadian Center for Women's Empowerment, or CCFWE. We are the only Canadian not-for-profit organization that focuses on addressing economic abuse through system change, research, advocacy, and economic empowerment. Economic abuse is a very common but often overlooked form of domestic abuse. It's part of coercive, controlling behaviour by an abusive partner to restrict a victim's economic resources through economic control, employment sabotage and economic exploitation. As the founder of this survivor-centred organization, I strongly support the passing of Bill 41. Working with survivors of coerced debt, we know the systemic financial barriers that many survivors face even after fleeing abuse.

Dear honourable committee members, imagine the stress, after fleeing abuse, of receiving persistent calls from creditors about debts that you didn't even know of. Imagine trying to move on from abuse, but coerced debt remains a steady reminder of your traumatic past. Imagine being unable to access employment, housing, utilities or school loans because your trafficker or abuser destroyed your credit. Imagine being evicted from your home, in the aftermath of trafficking, due to the burden of paying off coerced debt. All of these are examples of coerced debt.

The very nature of the relationship between the trafficker and the victim is one of coercive control. It's said that more than half—52%, more precisely—of survivors deal with coerced debt. Human trafficking is based on exploitation. Debts that are accrued in the victim's name are thus likely the result of coercion and exploitation.

On top of the trauma, shame and anxiety that many survivors experience, the survivors continue to face evictions and criminal records as a direct consequence of

human trafficking. Having to pay off their abuser's or trafficker's debt is just an additional, significant burden in regaining control of their lives. Coerced debts are also akin to those found in other coercive and abusive relationships, such as intimate partner violence.

Dear honourable committee members, just recently, the Department of Justice Canada announced that intimate partner violence is a severe public health issue that has immediate and long-term impacts for victims, survivors and their families.

Abusive partners use many methods to control their spouse, including economic abuse. Economic abuse affects an estimated 94% to 99% of women seeking services for intimate partner violence, and damage to credit is a very common tactic.

Our own research, funded by the city of Ottawa, included qualitative and quantitative interviews with domestic abuse survivors in the greater Ottawa region. Some 84% of participants mentioned that they have debt built up under their name as a direct consequence of their abusive relationship. And 90% of survivors experienced threats of physical harm if they tried to pay rent or other essential bills to prevent being indebted. Our national study also showed that more than half of participating survivors mentioned that their abusive partner paid bills that were in both names either late or not at all. And 61% of survivors affirmed that their abusive partner built up credit card debt in their name, often even without their knowledge. These findings highlight the similar experiences of domestic violence survivors to those of human trafficking survivors in terms of coerced debt.

A study on financial abuse conducted by the Toronto-based organization WomanACT found that the most common form of financial exploitation reported by both survivors and service providers was coerced debt.

Dear honourable members, CCFWE is encouraged to see the proposed legislation supported by four parties, demonstrating their strong commitment to survivors' economic empowerment. We also see the bill as an essential step towards addressing coerced debt that occurs by intimate partner violence in the future.

The statistics I stated demonstrate that coerced debt is widespread among survivors of human trafficking and intimate partner violence. Coerced debt has further skyrocketed in recent years due to a rise in consumer credit and new advancements in digital banking. Our current financial and legal systems are not set up to protect survivors accordingly. This has already been recognized by the United States government, which passed similar legislation, the so-called Debt Bondage Repair Act, or DBRA, just last year. This act prohibits consumer reporting agencies from furnishing consumer reports containing coerced debt as a result of human trafficking.

In Canada, Bill 41 is a timely and crucial example for other provinces to follow. By addressing coerced debt and freeing survivors of this undue burden, you will also contribute to promoting economic equity and women's economic empowerment.

The National Action Plan to End Gender-Based Violence that was released at the end of last year stated that human trafficking is “a highly gendered crime,” as 95% of identified victims are women and girls.

CCFWE sees it as the government’s responsibility to eliminate any structural and systemic financial barriers that would further damage survivors’ journey to justice and recovery.

I respectfully urge the Standing Committee on Justice Policy to propose passing Bill 41—

The Acting Chair (Mr. Nolan Quinn): One minute left.

Ms. Meseret Haileyesus:—to support human trafficking survivors.

As the executive director of CCFWE, I look very much forward to working with the Ontario government.

Thank you so much for inviting us for this important public hearing.

The Acting Chair (Mr. Nolan Quinn): Thank you for your presentation.

Next up, I will call on James. You will have seven minutes for your presentation. Please state your name for Hansard, and you may begin.

Mr. James McLean: I’d like to thank members of the standing committee for this opportunity to speak before you today. My name is James McLean. I’m the director of research and policy at the Canadian Centre to End Human Trafficking, which is a national charity dedicated to ending all types of human trafficking in Canada. We mobilize system change by collaborating and working with diverse stakeholders, including survivors, all levels of government, businesses and front-line service providers to advance best practices and eliminate duplicate anti-trafficking efforts across Canada. In addition, we operate the Canadian Human Trafficking Hotline, a free, confidential, multilingual service available 24/7 to connect victims and survivors with the supports they need. To make these connections, we maintain a national referral directory of over 900 service providers right across the country. This gives us a unique understanding of the anti-trafficking safety net in Canada.

Through our work, we know how important it is to make sure that victims and survivors have the tools they need to recover and heal from their trafficking situation. This includes having solid financial independence. Unfortunately, over 50%, and according to some, three in four survivors of trafficking in Canada experience financial abuse as part of their trafficking situation, particularly in the form of fraudulent or coerced debt. Traffickers often threaten, force or trick victims into paying for hotels, car rentals, gas, food, rent and other expenses related to their trafficking situation. Some are forced to take out personal loans or student loans, open lines of credit or apply for social benefits that are turned over to their trafficker.

In Ontario, the average debt faced by victims and survivors of human trafficking is estimated to be \$23,500. This debt has a devastating impact on the financial standing of survivors that extends far beyond their trafficking situation. A poor credit rating and accumulated debt make

it very difficult to regain the most basic necessities, including safe and affordable housing, a stable income and access to employment and education opportunities. Such financial insecurity puts survivors at risk of re-entering their trafficking situation.

Being able to resolve trafficking-related debts undoubtedly improves outcomes for survivors and removes a significant barrier as they move forward in their recovery. We know that financial assistance and recovery programs for trafficking are in high demand across the country. However, the need for this type of service far exceeds the availability of and access to such programs.

Bill 41 will provide a framework within which to increase financial assistance programming for victims and survivors. It will also facilitate greater co-operation between survivors, service providers and creditors.

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It is important to keep in mind, however, that any legislation aimed at supporting trafficking survivors must also prioritize their needs and well-being during its implementation. For many, navigating the complex ecosystem of social supports and banking services is a challenge, and that complexity can be a deterrent to accessing the very services that are meant to help them.

The processes that are put in place to realize Bill 41 should therefore be straightforward, coordinated, centralized and trauma-informed. One way to do this is to have a centralized body or organization responsible for identifying victims and acting as an intermediary between survivors and creditors. This ensures that victims and survivors will not be revictimized in the process of resolving debts. It also provides creditors and lenders with greater confidence and transparency in the process.

When the United States passed the Debt Bondage Repair Act in 2021—which has similarities to Bill 41—it did not include the establishment of a centralized intermediary organization. Instead, the responsibility of navigating the process and connecting with creditors was placed on the survivors themselves. Additionally, creditors were left to establish their own processes and requirements related to the act. This created a fragmented system that proved challenging for survivors and creditors alike.

The centre is in support of Bill 41. We are also in support of amending it to include the appointment of a coordinating body to implement a centralized victim intake and identification process. This will ensure that victims and survivors have a clear and streamlined way to resolve fraudulent and coerced debts incurred during their trafficking situation. It will also support and provide guidance to creditors and lenders on their responsibilities related to coerced and fraudulent debt.

Adopting Bill 41 illustrates the province of Ontario’s continued leadership on the issue of human trafficking, and will allow countless survivors to move forward with recovery by providing a pathway to financial freedom. Thank you.

The Acting Chair (Mr. Nolan Quinn): Thank you for your presentation.

I will now call on Gregory. You will have seven minutes for your presentation. Please state your name for Hansard, and you may begin.

Mr. Greg Vandekerckhove: My name is Greg Vandekerckhove, and I'm a detective constable with the Toronto Police Service's human trafficking unit. I'm here to express our support for Bill 41, Protection from Coerced Debts Incurred in relation to Human Trafficking Act.

I am at the forefront of the battle against human trafficking, working alongside an exceptional team of dedicated individuals within the Toronto Police Service. Together, we conduct rescues, gather evidence and apprehend traffickers. At the core of our work lies a victim-centred approach, prioritizing the safety and well-being of those affected. We work closely with Victim Services Toronto, other government agencies, NGOs and, most importantly, survivors themselves.

Time and time again, I've witnessed the horrors of human trafficking and its devastating impact on survivors and their families. A survivor once told me that her body was the crime scene and she had to live with her body for the rest of her life.

For those of us who have never gone through what a survivor has gone through, we will never understand what it feels like to be them, but we can try to understand, empathize and do whatever we can to help them.

Last July, we rescued a 22-year-old woman with the help of her dad, who had flown from Halifax to Toronto. In the house where I met her, I saw that she was malnourished, tired and anxious. She had ligature marks circling her neck, caused by her trafficker strangling her. I had to conduct her statement in the house that we found her, not a police station, because her trafficker was tracking her movements through two apps on her phone, and she was deathly afraid that if he became aware of police involvement, he would murder her family in retaliation. We had her trafficker arrested while we were still at the house, and I will never forget the look on her face when I told her. The first thing she did was turn off her phone. The second thing she did was hug her dad. Her healing journey began when she flew back to Halifax the next day. She had doctor appointments for her physical injuries and therapist appointments for her PTSD. When we rescued her, she had no property or money, so victim support money from the Ontario government helped satisfy her basic material needs. These things happened within the backdrop of a criminal case, where every day she was terrified her trafficker would get released on bail. Later, we discovered that her trafficker had obtained credit cards under her name, which he used, in part, to rent vehicles and book hotel rooms. Her trafficker forced her into debt to pay for the running costs of her trafficking. The burden of this coercive debt impeded her healing progress and hindered her ability to regain control of her life. Fortunately, Victim Services Toronto and Project Recover, the precursor to this bill, stepped forward and assisted her in clearing this oppressive financial burden. This granted her the opportunity to forge ahead with her life.

I am thankful that all four political parties support Bill 41, recognizing that supporting human trafficking victims is an issue that transcends political divisions. Human trafficking survivors continuously astound me with their resilience and strength in the face of unimaginable adversity. It is an honour to work alongside these remarkable individuals and witness their journey towards healing and rebuilding their lives. I strongly believe that Bill 41 will help towards that end.

The Acting Chair (Mr. Nolan Quinn): Thank you for your presentation.

For this round of questions, we will start with the independent member. You will have four and a half minutes. MPP Collard.

Mme Lucille Collard: Thank you to the presenters for actually making the time to be here today and voicing your support for this important bill.

Mr. McLean, you talked about a proposition for an amendment to have a centralized organization. I would like to hear more about it—understanding what you mean by that and what shape it could take in terms of an organization, and what kind of responsibility they would have and how they would be supported.

Mr. James McLean: Thank you for the question.

Just to take a step back—when we looked at how a bill like this was introduced in the United States, they had an absence of a centralized body. As a result, there is still a lot of confusion among survivors, even though it's still early in the process, about how to navigate that process, and it's really up to creditors to identify certain requirements.

Our recommendation would be to go with a centralized body, an organization that has experience working with survivors, resolving their debts and coerced financial challenges—an organization like Victim Services Toronto that can take that trauma-informed approach and can act as an intermediary between the survivor and the creditors. I think it's also important to mention that we want to make sure that any process we establish does not revictimize the survivors.

Mme Lucille Collard: Yes, I totally agree with that.

So if we had one organization located in Toronto, how would we deal with the regional survivors?

Mr. James McLean: I think it would have to be an organization that could take on the responsibilities across the province. I believe that Victim Services Toronto has put forward their name as one organization that could potentially do that.

Mme Lucille Collard: So are we thinking about excluding the other organizations that help survivors, to tap into this legislation, to be able to support survivors?

Mr. James McLean: I don't believe so. I think it would be up to the committee to decide how to proceed.

What we're recommending is that there be some greater clarity and certainty in the process, and one way to do that is to ensure that there is at least one designated organization that can work with survivors to help them through that process.

Mme Lucille Collard: Thank you. No more questions.

The Acting Chair (Mr. Nolan Quinn): This next round will be for the government. You have seven and a half minutes. MPP Dixon.

Ms. Jess Dixon: My question is probably largely for the detective or Mr. McLean—building off of my colleague's question.

I was a crown attorney for eight years—I've been involved in these and seen them fall apart at the bail stage often.

When I was listening to what you were saying, I was thinking that we already have VWAP, the Victim/Witness Assistance Program; we have individual victim services within the various police services and other victim-centred organizations. What do you think about the concept of having this be at least a first point or administered through a VWAP program? Obviously, as we are talking about some of the issues with this type of legislation, we are going to have to create a cap requirement in order to satisfy this; I don't know if that will extend to the extent of requiring the trafficker to actually be convicted, but you would largely be dealing with people within the court process. So would VWAP as a support for victims, identifying specifically victims of human trafficking, be a good first point of origin for this?

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Mr. Greg Vandekerckhove: I'll say that I'm aware of the VWAP as a case manager for over 20 human trafficking cases before the court right now—I'm also aware of Victim Services Toronto.

I do know that with human trafficking, there are many survivors who, for whatever reason, do not choose to report it to police; there are many survivors who are not ready to disclose to police. What we will always say to those who are not ready to provide a statement or to disclose to us is that their support services are not contingent on co-operation with the police process. We encourage them to go through—at least us at Toronto police—Victim Services Toronto to get referrals for basic necessities, psychological services like therapy, and we encourage them at this time to go through Project Recover. That's not to say that in a few months or a few years—they may disclose, but we don't put their support services contingent on the court process, because they all have their own internal reasons. We don't want to put a court process in front of them because—at least for me, as an investigator, I don't want to impede on whatever healing that they need to do.

So that's just my two cents.

The Acting Chair (Mr. Nolan Quinn): MPP Dixon.

Ms. Jess Dixon: I have another difficult question, but I'd like to hear your best attempt at answering it.

We all understand the damage that we are trying to rectify here. However, we also understand the extent to which many people will go to defraud the system, abuse the system, even turn this type of legislation to their advantage. How do you visualize us being able to, for the most part, accurately identify victims of human trafficking if we are doing this without a court process?

Mr. Greg Vandekerckhove: Just anecdotally, in my own cases, I haven't come across any cases where

someone was defrauding the system or the support services, so in terms of that, of putting in safeguards, unfortunately, I'm not the one with the answer—but also at the ground level, in the three-plus years that I have worked with the unit, I have not seen it either.

Ms. Jess Dixon: Does anybody else want to weigh in on that one? No? All right.

The Acting Chair (Mr. Nolan Quinn): MPP Kusendova-Bashta.

Ms. Natalia Kusendova-Bashta: My question is for the Canadian Centre to End Human Trafficking.

You spoke about the need to eliminate duplication between different jurisdictions, and I think that's very important. One good example of that is—I believe it was two years ago, when there were two different hotlines; one was the Ontario one, and one was the Canadian federal one, and it was merged into one hotline for survivors.

I want to ask you specifically about the hotline. You mentioned that it's available in multiple languages. I'm always interested to know about our French-speaking services that are available. I was wondering, do we track in what languages—both official languages and other languages—victims access these services? And would you have any of those statistics that you could share with us?

Mr. James McLean: Thank you for the question.

The Canadian Human Trafficking Hotline operates in over 200 different languages, including over 27 Indigenous languages. By far, the most common languages that people contact us with are English and French. I don't have the specific numbers with me, but I'd be pleased to share that with the committee.

Ms. Natalia Kusendova-Bashta: That would certainly be very helpful. I know the Quebec-Ontario corridor is a very hot one for human trafficking, so it would be really helpful for us to see the French-language utilization.

Can you give us one more example of a duplication that, through your intervention, would have been resolved?

Mr. James McLean: To be honest, there's really no shortage, unfortunately. I came on board with the Canadian Centre to End Human Trafficking a little over two years ago, and one of the first pieces of business that I did was to start reaching out to the different provinces and territories to start building up connections and understanding the great work they're doing. One of the things we noticed very early on in that process is that the best practices and the programs that are being developed in one jurisdiction are not being shared with other jurisdictions. As a result, provinces, largely, but also municipalities, are re-creating the wheel at every turn—and so this represents a huge gap. That is true across the policy spectrum, but when we're talking about victims of human trafficking, we're talking about programs to support them, to help reintegrate them into a healthy lifestyle again. Things like shelter supports and housing supports that are designed specifically for trafficking survivors—things like this are being tested out in various jurisdictions, but again, best practices are not being shared, so we're losing time and spending more than we might otherwise.

The Acting Chair (Mr. Nolan Quinn): There are 30 seconds left. MPP Hogarth.

Ms. Christine Hogarth: First of all, I want to thank MPP Collard, MPP Glover, MPP Schreiner and MPP Scott for bringing forward this very important bill. Congratulations on the teamwork. I always love to see when we can work together.

I have a quick question for the detective.

Do you have a percentage of how many victims you believe are not reporting cases?

Mr. Greg Vandekerckhove: No. Unfortunately, I don't have the statistics—

The Acting Chair (Mr. Nolan Quinn): Unfortunately, we're out of time.

The next round of questions will go to the official opposition. You have seven and a half minutes. MPP Glover.

Mr. Chris Glover: I want to thank all of you for being here today and for your advocacy on this really important issue and this important piece of legislation.

I'll start with Meseret. You talked about the need for this legislation to be followed up in other provinces. Is that happening?

Ms. Meseret Haileyesus: Not yet.

Mr. Chris Glover: Are there any conversations—or is there a way for us to stimulate that conversation?

Ms. Meseret Haileyesus: No. This is the first conversation so far, and that's why I'm here to support—hopefully, as a province, they'll learn from that.

Mr. Chris Glover: You also talked about a need for subsequent legislation to talk about coerced debts incurred for victims of intimate partner violence. So that's something else that you'd like to see in a subsequent piece of legislation?

Ms. Meseret Haileyesus: Yes. As you know, economic abuse is the most under-recorded, under-recognized form of violence, and coerced debt is part of that. So, definitely, we will continue pushing to have a similar bill, especially to criminalize or to have some way that women can have some relief in the future—because this also happens, as I said, as an extended form of intimate partner violence.

Mr. Chris Glover: This legislation is about helping survivors heal. Eliminating fraudulent debts is one piece of that puzzle.

I'll ask this question and if each of you could take a turn on it—how much time do we have, Mr. Chair?

The Acting Chair (Mr. Nolan Quinn): About six minutes.

Mr. Chris Glover: Okay.

What supports are out there now that you see, and where do we need more supports for survivors?

Ms. Meseret Haileyesus: Right now, we don't have any organized supports. We work with Victim Services Toronto and Project Recover. We don't even have a national toll-free line especially for those people who are impacted by economic abuse—so right now, we just do it as a partner, just helping women.

We have a national task force which is dealing with banking and financial issues. This national task force is helping us to navigate the research and the resources—at this point, we don't have any, so that's our next plan.

As you know, the organization is the only organization, right now, even talking about this issue.

Mr. Chris Glover: So if a survivor—and I'm thinking about outside Toronto, because MPP Collard was talking about in a rural community—comes to an agency and says, "Hey, I'm a survivor of human trafficking," are there supports available for them in terms of housing, psychological support?

Ms. Meseret Haileyesus: My organization—we refer across Canada. Through our national task force members, we have a connection with the shelters and mental service agencies; so that's ad hoc referral; there isn't any structure. That's why we are working right now.

Mr. Chris Glover: Often, they're put in shelters?

Ms. Meseret Haileyesus: Yes, shelters—

Mr. Chris Glover: And is it a specific women's shelter or general homeless shelters?

Ms. Meseret Haileyesus: All shelters, including second stage of housing as well.

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Mr. Chris Glover: Wow, okay. Thank you.

James, do you want to respond?

Mr. James McLean: Yes, I'd be pleased to.

When somebody calls in to the Canadian Human Trafficking Hotline, we document certain data points, and then over time, we can start to see trends that are emerging. By far, the greatest referral requests that we get from trafficking survivors is for shelter and housing—it's often a survivor's first place of refuge once they've exited their trafficking situation. The challenge is that these systems have come under incredible strain after decades, particularly after COVID-19, when there was greater strain on it, and so there are not as many spaces available to these survivors. Our staff often have a difficult time locating spots for these survivors. Furthermore, some shelters have put in place human trafficking beds, but those are often the first to go whenever they are overwhelmed, through no fault of their own; it really comes down to capacity. So we are essentially calling on all governments to put more funding into shelters to help in that recovery effort.

Mr. Chris Glover: Is your agency receiving calls from survivors and not being able to provide shelter to them?

Mr. James McLean: Yes.

Mr. Chris Glover: How often is that happening?

Mr. James McLean: I don't have the statistics on how often we're not able to connect with a shelter service.

What I can say is that survivors are by far the largest group that contacts us related to a trafficking case, and those are the services they request the most.

Mr. Chris Glover: If there is no shelter available, what happens?

Mr. James McLean: It's often on a case-by-case—sometimes we've heard of situations where they may be able to turn to a friend or a family member for a short period of time. Unfortunately, there also might be cases where an individual, if they don't have a safe place to go to—a shelter or a housing option—they may remain with their trafficker.

Mr. Chris Glover: Greg, would you like to respond?

Mr. Greg Vandekerckhove: When it comes to the supports that are in place, I try not to have a strong hand in my survivors' support services just because I have a

court process that's going on. But from what I gather, as James said, housing is always the number one demand.

Just last week, I had to drive a survivor from the GTA to London because there was no housing or shelters available. Oftentimes, we'll do a rescue and there will be no housing available, so then the survivor will have to stay in a hotel for a period of days until one becomes available. Every trafficking situation is different, but for a lot of survivors, going into a hotel room by themselves on the heels of being rescued can be very triggering.

I do have a number of survivors who have young children as a result of their—

The Acting Chair (Mr. Nolan Quinn): One minute remaining.

Mr. Greg Vandekerckhove: —trafficking situation, and it's very difficult for us to find a human trafficking-informed shelter or housing for them and their child. A lot of the housing shelters that are available are just for single women.

Mr. Chris Glover: So what I'm hearing from all three of you is that there's a desperate need for more shelter services for survivors or victims coming out of trafficking situations, and that some are actually having to go back into the trafficking situation because they don't have access to a safe place to stay. Yes?

Mr. Greg Vandekerckhove: Yes. Some of my survivors who are—well, they were in the sex trade, and they would continue in the sex trade independently to be able to afford to survive, to a certain extent, because there was no housing available.

Mr. Chris Glover: Again, thank you so much for being here.

The Acting Chair (Mr. Nolan Quinn): Thank you for your answers.

This next round, we will start with the independent members for four and a half minutes. MPP Collard.

M^{me} Lucille Collard: I have one question for James.

Again, we're trying to figure out what's going to be the best way to structure the services around that bill, so I would just like to know—your centre has a hotline; it's kind of already a centralized place where people can call and get access to services. I would just like to know what kind of partners you have across the province, if you do—because I think we need interconnected services. Can you speak a little bit about that?

Mr. James McLean: As I mentioned, we maintain a national referral directory of over 900 service providers right across the country, and because Ontario is the largest province, many of them are located right here. Those agencies provide all different types of services—everything from housing and shelter to addiction counselling to case management. It really does encapsulate the full social system.

M^{me} Lucille Collard: Thank you. I don't have another question.

The Acting Chair (Mr. Nolan Quinn): The next round of questions will go to the government, for seven and a half minutes. MPP Oosterhoff.

Mr. Sam Oosterhoff: I appreciate all the work that you're doing on this.

I have a question for all of you.

My cousin Arnold Viersen is a member of Parliament federally, and he has done a fair bit of work on anti-human trafficking as well. I was talking with him about the fact that we were having this discussion.

I was wondering if you think there's any room to work with the federal government on something like this across Canada and if you've seen any initiatives from the federal Parliament around this. Obviously, what we're trying to do here in Ontario, I think, should be replicated elsewhere in Canada at a provincial level, but I'm wondering if there's any way that the federal government would be able to do something similar. The reason I ask is because I was looking at the legislation you mentioned out of the United States, which was federal legislation—obviously, that's great because then it right away covered the whole country. I'm just wondering if that's something you've heard or if there's any indication.

Mr. James McLean: I can start.

I think it's a great point. We haven't had this conversation specifically with the federal government, but at the very least, they could help play a convening role and a leadership role with the provinces. You're right; this was an initiative that was led at the federal level in the United States. Whether it happens at the provincial or federal level, I think the federal government does have a role to play here.

The Chair (Mr. Nolan Quinn): MPP Saunderson.

Mr. Brian Saunderson: Thank you very much to each of you for coming today and for your advocacy and your work in this area.

I, too, would like to echo MPP Hogarth's comment; I'd like to thank and congratulate each of the co-sponsors of this important bill. It's wonderful to see all four parties come together; I understand that this is only the second time it has happened.

I have a couple of questions, and I'm going to pose the first question to you, Meseret. You talked about coerced debt being a mechanism of control. I'm learning a lot today. I also heard that the average age of victims is as low as 13. I'm wondering if you can talk a bit about other methods of coercion and control and what support systems we have for victims as they come out of this difficult situation.

Ms. Meseret Haileyesus: My conversation is from an economic abuse perspective. Economic abuse has three types: economic control, economic exploitation, and economic abuse. The exploitation aspect of violence usually manifests like holding a woman not to leave the abusive situation. As you know, money is a taboo; money is a power—so it's all about taking. That power is the most prevalent and the most prominent part of this kind of control. In the context of this kind of relationship, there is always emotional abuse that really affects women not to leave the abusive situation, even in the human trafficking context. So what we have seen is that many women, when they face that kind of violence and trauma—the first

contact person is the financial institution. Most women may not call the police right away or they may not talk to their parents, because finance is also a taboo in many cultures.

That's why my organization, right now—we try to create a program in Canadian banks; we have a conversation with the Financial Consumer Agency of Canada to develop a private code of practice so Canadian banks have an opportunity to help women in a very trauma-informed and violence-informed way. Right now, we are somehow building that relationship—because we have seen in Australia, New Zealand and the UK that they have a very sustained and a very excellent program that rightly supports women in terms of from a trauma and violence perspective.

Coerced debt is manifested in many ways—it may be destroying her assets; it may be damaging her credit; it also may be taking money on behalf of her, especially in an abusive situation.

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My organization, right now, is also developing the first digital tool in Canada. This digital tool helps women to educate themselves before they leave relationships so that they can flag those behaviours and develop their own financial safety. We also have a conversation tool kit for how they could talk to credit collectors and everything. As you know, reaching out to credit collectors is not accessible, because it's not even trauma-informed. What we have seen is that many women are triggered by the trauma they have been through.

Mr. Brian Saunderson: In a previous life, I used to do lines of credit and mortgages on behalf of clients, and we were told that we had to go through incredible hoops to identify, to make sure the right person is signing the loan. With IT issues, we had to get first-hand identification.

You talked about your discussions with the banks. Have there been discussions with the banks about ways that they can proactively put measures in place to prevent, because you talked about, I think it was, as much as 61%—and it might have been in the context of domestic violence—who had debt that they were unaware of. It strikes me as incredible that debt could be incurred without the individual actually having to be there to sign. Can you talk a bit about the efforts you've gone through with the banks on that?

Ms. Meseret Haileyesus: We have a national task force of experts from major banks and many credit collectors. These experts usually review some of the best practices and policy in Canada. We've had this conversation many times.

Right now, Canadian banks are very open and willing to adopt a gender-based-violence program. This prevention program is not only preventive—but we are asking the banks to support as well. At the end of the day, these women are their clients; by helping them, empowering them, they also contribute to the bank economy, even for the country. So there is interest, but we don't have any clear policy. There are a few banks that already have existing human trafficking programs, so we are asking them to expand that initial label as well.

The Acting Chair (Mr. Nolan Quinn): One minute remaining.

Mr. Brian Saunderson: Do you think there's some kind of parallel process that you could have for both the signing of the debt and also the release of the debt? Are there ways to tie the two together in terms of the type of information that would be necessary for a creditor to say, "We're satisfied this debt was incurred without your consent, and we're going to release you from that debt"? We're looking at a standardized process, and there has been good conversation around that. I'm wondering, though, if there's a way that we can proactively—banks are great for checklists, and I'm wondering if we can't create a checklist so that, if we can check all those boxes, then the creditor will release the individual or chase somebody else for that debt and not the victim.

Ms. Meseret Haileyesus: Yes, actually, that's our next plan. That's why we are bringing this expertise and awareness to financial institutions, so hopefully the bank will take that role. That's our plan.

Mr. Brian Saunderson: Let's hope. Thank you very much.

The Acting Chair (Mr. Nolan Quinn): The next round of questions will go to the official opposition. You have seven and a half minutes. MPP Glover.

Mr. Chris Glover: I want to follow up with Meseret on a question that I asked you. I was asking about survivors of human trafficking, and you said that sometimes there's no shelter space and—actually, maybe it was James who said this—sometimes they end up going back to their trafficker just because they don't have a safe place to stay.

Meseret, my question is for you, because you also mentioned intimate partner violence. Are there cases where somebody comes forward who is a victim of intimate partner violence and also does not have a place to stay and goes back to their abuser?

Ms. Meseret Haileyesus: Yes. We had some certain cases—we had a support group before the pandemic, even during the pandemic. Some women have that experience, and they also lived in abusive relationships. It was very, very complex, even for us as a service provider, to untangle those services. Also, as you know, there are a lot of housing barriers. So, yes, things are in line, and then very complex.

Mr. Chris Glover: How often does that happen? Do you have any—

Ms. Meseret Haileyesus: We don't have the statistics. But we've had clients who have similar experiences.

Mr. Chris Glover: They may not be available right now, but do you have statistics on how often somebody comes forward—a victim of abuse or a victim of trafficking—and is not able to access shelter?

Ms. Meseret Haileyesus: No, we don't have that either.

Mr. Chris Glover: James, do you have those statistics?

Mr. James McLean: It's something we could certainly look into.

Mr. Chris Glover: And Greg? No?

Mr. Greg Vandekerckhove: I don't have any statistics.

Mr. Chris Glover: I'll ask Greg some follow-up questions.

You were talking about the need for victims coming out, escaping their trafficker—you need services that are straightforward, trauma-informed, centralized, and you need an intermediary agency.

You were talking about how the Debt Bondage Repair Act in the States—the implementation was one of the things that didn't go as smoothly as it should have because there weren't agencies. You're talking about one agency, but Ontario is huge; it takes 24 hours to drive across it. There are also a number of different communities in the province, including Indigenous communities, many cultural communities.

Would you recommend having agencies be certified to be agents to investigate, to make sure that somebody is a survivor of human trafficking, and then that person could be their agent going forward so that they don't have to keep repeating their story and be retraumatized?

Mr. James McLean: Yes. I think, if the committee determined that having one centralized body overseeing this process province-wide was not something that could be tenable, having a government-approved group of organizations that meet certain criteria would also be preferable. They would have to be trauma-informed, with experience working with survivors, a certain level of financial intelligence—or understanding of how to navigate those processes.

I think the one thing that we can learn from the United States on this is that the process for selecting those agencies also needs to be transparent. In the United States, the government requires survivors to submit proof of identification, a victim determination document, which can be provided by a government agency or an authorized NGO, and a list of specific debts on the credit report that need to be removed. What is missing in this process is that the federal government in the United States has not identified how NGOs can become authorized and which agencies are authorized. So our counterpart in the United States, Polaris, has done a review of the act to date, and they've had a difficult time identifying those NGOs that are available. So if Ontario wanted to proceed on a similar course, we would ask for greater transparency around that process.

Mr. Chris Glover: So you're recommending that the government set up criteria for identifying agencies that could act as agents for survivors?

Mr. James McLean: Yes, there would need to be some kind of certification or approval process to ensure that the agency or agencies that do this work are qualified to do it.

Mr. Chris Glover: There's also the case—and it's mentioned in the act that's proposed—where a credit agency disputes the claim, and then it would go to a tribunal. Would you recommend that those agencies be able to act as agents for the survivors so that the survivors don't have to attend the tribunal in person?

Mr. James McLean: Yes.

Mr. Chris Glover: Those are my questions.

MPP Kristyn Wong-Tam: Is there time on the clock?

The Acting Chair (Mr. Nolan Quinn): Yes, there's still about two and a half minutes.

MPP Kristyn Wong-Tam: Thank you. I will take a question.

The Acting Chair (Mr. Nolan Quinn): MPP Wong-Tam.

MPP Kristyn Wong-Tam: With respect to the different forms of human trafficking, with respect to the experience that you have—and obviously, all three of you have very specific, distinct experience, through different lenses. I'm just curious to know: Does the bill go as far as it needs to to ensure that all forms of human trafficking are captured? Is it better to leave it not explicit, or should we be more explicit—so coerced labour, sexual exploitation, child trafficking, with respect to even labour exploitation—so it's not specifically on just one form, or is it just capturing all forms?

Mr. James McLean: You're right; in Ontario, in Canada, we see different types of human trafficking. According to data that we collect over the hotline, by far, the majority of the survivors who reach out to us at this point in time are survivors of sex trafficking, but we do see labour trafficking as well—I'm not quite sure how it could be amended to account for that group as well. The bill seems broad enough to capture both camps—but if there are other ideas, we'd certainly be able to comment on those.

The Acting Chair (Mr. Nolan Quinn): One minute remaining.

MPP Kristyn Wong-Tam: My understanding is that the largest cohort of people who are trafficked are actually labour exploitation—it's even bigger than sexual exploitation. Does it need to be more explicit—therefore, it's not just one type of group that's being trafficked? This is genuinely from a place of wanting your expertise in helping us inform this.

Mr. Greg Vandekerckhove: As James said—and I can only speak anecdotally—95% of our cases appear to be sex trafficking, but we do investigate labour trafficking; that generally goes province-wide. In the Criminal Code, where we investigate these things—the Criminal Code really doesn't have a dichotomy between sex and labour trafficking; it's just trafficking in persons, which is just the exploitation of—

The Acting Chair (Mr. Nolan Quinn): Unfortunately, that's all the time we have for questions for this round.

I'd like to thank all the presenters for coming today to present and for the important work that you do.

The committee will now recess until 1 p.m.

The committee recessed from 1151 to 1300.

MS. JASMINE DE FINA

MS. KAITLIN BICK

MR. RICHARD DUNWOODY

The Acting Chair (Mr. Nolan Quinn): Good afternoon, everyone. Welcome back. The committee will resume public hearings on Bill 41, An Act to amend the Consumer Reporting Act and the Prevention of and

Remedies for Human Trafficking Act, 2017 with respect to certain debts incurred in relation to human trafficking.

As a reminder, each presenter will have seven minutes for their presentation, and after we have heard from our presenters, the remaining time will be for questions from the members of the committee. The time for questions will be broken down into two rounds of seven and a half minutes for the government members, two rounds of seven and a half minutes for the official opposition, and two rounds of four and a half minutes for the independent member.

I will now call on Jasmine De Fina to present. You will have seven minutes for your presentation. Please state your name for Hansard, and you may begin.

Ms. Jasmine De Fina: Thank you for providing me with the opportunity to address you today.

My name is Jasmine De Fina, and I am here as an Indigenous survivor of human sex trafficking and an advocate. I'm also honoured to serve as the executive director of SafeHope Home. While I also work at Victim Services of York Region, I'm not representing Victim Services of York Region today.

I would like to begin by emphasizing the crucial significance of this legislation in support of empowerment of survivors of human trafficking. It is imperative that we work diligently to prevent any delays in implementing this program, as its timely execution holds utmost importance to the individuals whose lives have been affected by this abhorrent crime.

Today I stand before you to highlight the crucial aspect of the proposed legislation that we firmly believe is important to ensure the responsibility of this project is not concentrated solely within one organization—by doing so, unintentional barriers to accessing services for survivors desperately in need may arise. It is imperative that survivors and advocacy agencies have a wide range of choice. A genuine choice necessitates the presence of alternative options. We must ask ourselves: Why is it crucial for survivors of human trafficking to have a choice? When there's only one provider, there is significant risk for advocates who are constrained to that sole option. Additionally, biases can emerge between agencies, potentially resulting in survivors receiving the best service only if they happen to align with a more comfortable client profile. It is important to recognize that traffickers deny their victims the ability to choose. Their actions were oppressive, denying individuals their agency and autonomy. As we support survivors on their path to healing, it is vital that we do not replicate this oppressive approach. By entrusting a single entity with the provisions of service, we inadvertently restrict survivor options and perpetuate the cycle of control.

Furthermore, it is crucial to acknowledge and address the specific needs of Indigenous survivors. They should have the opportunity to access services through organizations led by Indigenous service providers in communities, in addition to governmental agencies. Approaching this issue from a colonial standpoint hinders progress

and fails to adequately address the unique challenges faced by Indigenous communities.

Another important consideration is that some survivors may choose to avoid victim services because they're perceived to be closely associated with police. It is unfair to deny these individuals access to support that they need. It is worth noting that, while some victim services agencies actively align themselves with law enforcement, others do not. This lack of governance and consistency amongst victim service agencies can lead to disparities and limitations for survivors.

Additionally, I want to emphasize the importance of a tribunal process. This plays a critical role for both creditors and survivors. Currently, survivors are often compelled to pursue legal action or resort to other measures that may harm their reputation, even in situations unrelated to trafficking. The tribunal process offers transparency to both parties while safeguarding the privacy of the survivors. It is crucial to understanding that without a tribunal process and with only one source provider, it is the survivors who ultimately bear the risk—if the process comes into question, it is the survivor who will suffer the consequences. Three of our clients of SafeHope Home have offered to share their experiences through their briefs, highlighting the positive impact that this work has had on their lives. We cannot afford to compromise the safety and well-being of survivors by limiting their options and exposing them to unnecessary risks. I urge you to consider potential risks to our clients if a tribunal process is not established and if only one designate agency offers the program.

This legislation is vital to the support and the empowerment of survivors of human trafficking. Let us avoid any delays in implementing this program, as it is of utmost importance for survivors whose lives have been impacted by this crime.

Once again, I extend my gratitude for your attention and consideration.

The Acting Chair (Mr. Nolan Quinn): Thank you for your presentation.

I will now call on Kaitlin Bick. You have seven minutes for your presentation. Please state your name for Hansard, and you may begin.

Ms. Kaitlin Bick: My name is Kaitlin Bick.

Financial debt is something that the vast majority of the population faces. Now imagine having financial debt which you were not responsible for. Imagine someone manipulating you into taking out a line of credit, getting a credit card, or even taking out a loan for a new car in your name. They tell you that they love you and you are going to build a life together. Then imagine not being able to use your credit card or car. It was all a lie. You were left feeling worthless and ashamed, wondering what you did wrong, how you could've been better. How would you feel? As a survivor of sexual exploitation, I know how it feels. I know what it feels like to have creditors call me and demand that I pay for something I didn't even use. Every time I got a call, it was another reminder of the most shameful thing I have ever experienced. I felt worthless

and powerless, and no one would listen. Those calls were not just reminders of the financial debt I incurred; they were reminders of the physical and emotional traumas I was left with.

Debt forgiveness for someone who has experienced sexual exploitation is a huge step toward their financial freedom. There are too many survivors who have debt that does not belong to them; as a result, we end up having bad credit, we can't pay it back, and no one believes us. That survivor could be your friend, your son, your daughter, your niece or nephew. That survivor could be you.

Let's vote to pass Bill 41 so Project Recover at Victim Services Toronto can work with creditors to make the lives of survivors a little less traumatic.

After I was trafficked, I received support from victim services. They connected me to a trauma therapist, who is actually sitting right behind me. I am blessed to be sitting here today alongside her. If Bill 41 and Project Recover had existed then, there is a huge possibility I could have saved myself from an extensive amount of trauma.

It takes tremendous strength to sit here with all of you and be vulnerable, so please, remember my story, remember my feelings and remember me. Let's make a difference for someone who's just like me.

The Acting Chair (Mr. Nolan Quinn): Thank you for your presentation.

I will now call on Richard Dunwoody. You will have seven minutes for your presentation. Please state your name for Hansard, and you may begin.

Mr. Richard Dunwoody: My name is Richard Dunwoody, and I am the founder of Project Recover. Since late 2019, I have supported survivors of human trafficking in removing the financial fraud and coercive debt they faced from their exploitation.

I'd like to thank all of the MPPs who have sponsored this bill, which is critical and necessary to ensure that survivors are not held liable to pay for the debt through which they were bought and sold.

This afternoon, I'll touch on three key areas within Bill 41 that I believe gain from my experience. I've had the opportunity to speak to many organizations—the Canadian Bankers Association, the Telecommunications Risk Management Association and a number of other credit associations. I have worked with them; they're supportive of this bill. I've acknowledged the changes that they've wanted to make, which I believe they have put forward to the MPPs sponsoring this bill. There are three areas, though, that I think still have to be considered.

The first area is sole-source providing. I do not believe that one entity should be the only entity providing support to survivors in addressing the coercive debt they face. First reason: All survivors should be able to access the relief sought through Bill 41. The second reason is that it avails survivors of a choice. Many survivors, as was stated earlier—and, I acknowledge, incorrectly—assume a connection between victim services units and law enforcement, and for that reason they are apprehensive in seeking support. And I know that first-hand because today I continue to support survivors. Third, it recognizes that certain survivor populations benefit from having supportive entities that understand the uniqueness of their

situation; the most obvious is the Indigenous population. The application of Bill 41 should continue to provide the same transparency to all stakeholders—both survivors and creditors. From its inception, Project Recover was overseen by a committee comprised of creditors, survivor advocates and business leaders. This ensures the transparency, again, for all stakeholders. Contemplating multiple service providers, I believe either Bill 41 or its regulations should consider the establishment of an oversight committee and certification process maintaining a single process that all creditors have agreed to through the work that I have done.

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The second point is a victim determination document; I note that this morning, in presentations, this was raised by a number of MPPs. A victim determination document is essential in seeking relief. That document should not infringe on the privacy of the survivor or give the details of the survivor's exploitation. It is simply a documentation checklist speaking to a number of advocacy agencies—very similar to an intake document that they would complete in supporting a new client to understand the needs of what they need to provide. That victim determination document should not be shared with creditors, but I believe it can be filed with the two credit reporting agencies who'd be responsible to ensure its privacy and access on a need-to-know basis.

My final point is the necessity of a tribunal. I have worked with too many survivors who continually have asked me, "Why are people doing this?" Most creditors have supported survivors. It is who I call the problem children that this bill is directed to—creditors who see profit over compassion. Forcing a survivor to go through the civil litigation process, which would be the remedy available to the creditor without a tribunal, revictimizes them; it extends their trafficking period. The civil court system is backlogged. If a creditor wants to seek remedies through a civil litigation, that could compromise a year or two years going through that civil litigation process. If we look at cost, the cost to the government of the civil litigation process is significantly higher than the cost of a tribunal process.

With the civil litigation process, I urge you to consider one thing: if it was your child. Having gone through everything that they go through and now having to go through a civil litigation process, where they would be a compellable witness—they are not in a tribunal process, a compellable process—I would think some parents would opt to just pay that debt, fraudulent and coercive as it is, to protect their child from further victimization.

The Acting Chair (Mr. Nolan Quinn): One minute remaining.

Mr. Richard Dunwoody: Thank you for your time.

The Acting Chair (Mr. Nolan Quinn): Thank you for your presentation.

For this round of questions, we will start with the government. They'll have seven and a half minutes to be able to ask their questions. MPP Dixon.

Ms. Jess Dixon: My question is for Jasmine or for Kaitlin.

When you're talking about the way that different organizations could be administered, as survivors, are you able to describe to me what, in your experience, would have been a good way to access this? Where along the process would you ideally have found out about it? From who? What would that have looked like, in an ideal world?

Ms. Jasmine De Fina: In my experience—both personal experience as well as helping survivors for the last 14 years—usually, the survivors connect with one agency when they first come out, whether it is victim services or a community partner. Whichever agency they choose—a survivor-led organization, which is for a lot of them—that would be the agency that I would recommend, multiple agencies having access so that they can go through the process that way, rather than just one organization holding it.

A lot of the clients I've worked with don't—I also work at victim services, and I know they don't always trust us because we are associated with the police; whether we are or aren't, that's the perception, so I think any agency in the community where they would come into first contact would be my recommendation.

The Acting Chair (Mr. Nolan Quinn): MPP Dixon.

Ms. Jess Dixon: If we are considering individuals who are still in the process of being exploited, is there a way that you think we could get the message out that this legislation exists, that this option exists? And how would we best target those groups of people so that they know, including individuals who may not be involved in a criminal process?

Ms. Jasmine De Fina: I think it's essential to engage the Canadian centre—I know a lot of survivors who are still entrenched in human trafficking do pay attention to the social medias; same with community-based organizations and survivor-led organizations that do outreach work within the community, working with the folks who are fully entrenched, not necessarily exiting their situation. I think that's a great route to go.

The Acting Chair (Mr. Nolan Quinn): MPP Scott.

Ms. Laurie Scott: Thank you all for presenting.

Thank you, Richard, for doing the framework for Project Recover.

And thank you to Jasmine and to Kaitlin. It has been many years since I was able to sit with you and work with you. Thank you for having the courage to come here today and for the work you do now, as survivors, helping other people. It has been very good.

I guess we all want to know kind of touch points with different agencies—different communities are different. I represent a rural community, and I think from what I've seen, social service agencies, victim services in some cases—they all kind of talk to each other to get a clear pathway. I know we had some great presenters here this morning too—about connecting and what we can do better as provinces. I think some of you may have been watching the testimony.

Kaitlin, I didn't know if you wanted to make any comment—and you don't have to—about pathways you saw that we could improve on. I know that I've had many

discussions over about 10 years, and we've evolved greatly, so I want to say that right up front—everyone talking to each other and just awareness in the community in general. Kaitlin, if you wanted to add any comments, you certainly can.

Ms. Kaitlin Bick: One thing I wanted to add is just about education within the community, in schools, because I think that is absolutely huge. Every time I've presented or spoken or told my story, I've always had someone come up to me after and say, “Oh, my gosh, I think this is happening to me,” or “I think this is happening to someone I know.” And then being able to share that resource—I've connected so many people with victim services, but some people don't want to connect because victim services is in police headquarters, so they're very hesitant. It doesn't mean that has to happen right in that moment that day; it could just be a process. And when you're working with people who are trauma-informed, they can meet you in the community; it doesn't have to just be in the office.

Ms. Laurie Scott: That's good, because I think everybody in the communities I've approached all talk to each other on what's the best point to do some resolution.

Ms. Kaitlin Bick: Absolutely.

Ms. Laurie Scott: I remember in one of my former bills, Saving the Girl Next Door Act, that we did do—it's not the topic of today, but civil litigation as a route, if survivors wanted to take that route, but this is kind of different than what we're speaking about today in Bill 41.

Chair, I'll leave it over to my colleague—

The Acting Chair (Mr. Nolan Quinn): MPP Saunderson.

Mr. Brian Saunderson: How much time do I have, Chair?

The Acting Chair (Mr. Nolan Quinn): Two and a half minutes.

Mr. Brian Saunderson: Thank you very much.

I want to echo MPP Scott's comments. Thank you very much for coming today. Thank you for having the courage to share your stories and for doing what you're doing now, and thank you, Mr. Dunwoody, for your role in starting this process in many respects.

In talking about the tribunal—we're looking at ways that we can try to make that easy, accessible and streamlined, to make it as fast as possible. We heard earlier this morning from a number of witnesses who talked about the number of debts that are incurred without the knowledge of the individual, and I'm wondering—Mr. Dunwoody, I know you have dealt in the banking sector, and in a previous life, I did too. I know that going through ID and making sure we've double-checked and we've got the right person signing on—is there a way that we can work with banks to tighten up loan processes so that we can front-end to prevent some of this initially? What are your thoughts on that?

Mr. Richard Dunwoody: When we look at data—and the work that I do is specific with data, in proving trafficking through a data source. I think there's a wealth of data that can be utilized to provide assistance and

support with the banks. Through the Project Recover initiative—and it sort of launches—CIBC has taken the lead in setting aside the entire year to educate their employees and come up with programs to assist and identify suspected victims of trafficking.

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The Acting Chair (Mr. Nolan Quinn): One minute remaining.

Mr. Richard Dunwoody: So there has been an impact—but again, I think it's gathering that data and utilizing that data, obviously with the consent of survivors.

Mr. Brian Saunderson: Absolutely.

We may run out of time, and I'll pick at this thread later when we come back around, but I'm wondering if there's a way to work with banks, as well, on the other end of the process to establish a checklist of the information they would want to be satisfied that they should be releasing that individual from the debt and chasing somebody else—if they're going to chase anybody at all.

Mr. Richard Dunwoody: That's what I've done for three years, and that checklist exists.

I have not had a single disagreement with a creditor, plus or minus. Not all cases were related to trafficking, absolutely. But the vast majority of creditors get this. It's the problem children, as I call them—

The Acting Chair (Mr. Nolan Quinn): Unfortunately, that's all the time we have for this round.

Next, we'll go to the official opposition. You have seven and a half minutes. MPP Glover.

Mr. Chris Glover: First of all, I want to thank all three of you for coming here today.

It's a really important bill, and I think it's quite remarkable that we're having this discussion at this point. I think it's an historic bill, and I want to thank MPP Collard and my colleagues from all parties for supporting this.

Kaitlin, I'll ask my first question of you. First of all, I want to say thank you so much for being here. Thank you for sharing your story and being an advocate so that we can prevent other young women, primarily, from falling into this.

I'll ask a two-part question—one is, how do we let victims know that this financial relief exists?

Ms. Kaitlin Bick: I'm just going to speak from my experience today. It's really difficult to just get it out there into the world, but when you come into contact with someone—when someone is referred to the program that I work for, it's one of the first things that I share, because it is so important and so imperative. It's a barrier and it's a weight bearing on their shoulders, and once you share it, they can say yes or they can say no. But a lot of that happens with word of mouth, as well, amongst the survivors.

Mr. Chris Glover: That's the other thing we've heard—that sometimes survivors feel there's no way out in part because of this financial debt.

Ms. Kaitlin Bick: Absolutely.

Mr. Chris Glover: The other question is, for a victim who's escaping, what supports do we need in our communities in order to provide an avenue out?

Ms. Kaitlin Bick: Sorry; there's a lot—

Mr. Chris Glover: Okay, you can do a long list. We've got six minutes, probably, left.

Ms. Kaitlin Bick: Can you repeat the question?

Mr. Chris Glover: What supports do we need so that if a victim is trying to escape—if you could design the ideal system, what would it look like so that that survivor can escape and heal and then move on with their lives?

Ms. Kaitlin Bick: When someone is being exploited, the trafficker is meeting every single one of their basic needs. Clothing, food, housing—everything is covered. For that person to be ready to leave—if they're not ready, they're going to go back, but in order for them to be ready, those items need to be available. They need safe housing. They need money. How are they going to feed themselves? Clothing, hygiene products—there are so many things that need to be put in place before that person can safely exit and stay exited.

Mr. Chris Glover: That's what we heard this morning from some of the deputants. People were saying that sometimes people can't leave, in part because of this financial burden, but also because sometimes even shelters are full, and so there's no place to go, so they stay. Is that your experience as well? Are you hearing that, or do you experience people staying in the trafficking?

Ms. Kaitlin Bick: Absolutely. Aside from the huge trauma bond and not knowing how to leave and when to leave when you are ready, I think we also need to take into account harm reduction. For myself, I was very actively using substances, and a lot of places won't take you if you are using substances or drinking alcohol. You have to be sober, and that's impossible for some people because that's our solution to deal with all that pain and all that trauma. So we need more places that are harm reduction-focused and trauma-informed and sex-positive. What if someone re-enters and continues to do sex work because they have no job and they have no way of getting money?

Mr. Chris Glover: That's very informative. I'm glad we're having that discussion because this goes into the Hansard. After this legislation is passed, there are regulations that will be drawn up; that's the implementation plan. Your comments today can inform that implementation plan.

I'll ask Richard a couple of questions. How many survivors have you helped?

Mr. Richard Dunwoody: I've helped probably well over 200 now.

Mr. Chris Glover: How much of the coerced debt has been forgiven through the work that you've done?

Mr. Richard Dunwoody: Over \$3 million.

Mr. Chris Glover: Wow. That's really remarkable. Thank you so much for what you've done.

What difference has that made in the lives of the people you've helped?

Mr. Richard Dunwoody: My response would probably be mostly anecdotal—hearing back from the advocates. Once I've supported a survivor and dealt with their issues, I've seldom had contact with them. I hear they're doing well—positive stories. Some of them have gone through post-secondary education programs and excelled

at those. To my understanding, there have been a number of briefs from survivors I've supported. I guess that would be the best example of what difference it has been for them.

The Acting Chair (Mr. Nolan Quinn): Two minutes left.

MPP Kristyn Wong-Tam: Thank you for doing the hard work, day in and day out. I recognize that oftentimes coming to these spaces to talk about what was a difficult experience is also very challenging.

I want to ask about the tribunal. Exactly which tribunal are you anticipating that this bill be relegated to, out of the 13 tribunals that sit under the Tribunals Ontario purview?

Mr. Richard Dunwoody: I think its uniqueness—a tribunal would be a tribunal that doesn't exist today. I think that those serving on the tribunal would have to have a thorough understanding of trafficking in itself. I've been doing the education part for the first two years, support for three years, and I'm still learning that process.

MPP Kristyn Wong-Tam: So just to clarify, the anticipation is to set up a new tribunal?

Mr. Richard Dunwoody: Yes.

MPP Kristyn Wong-Tam: I guess the mechanism of setting up that new tribunal, having the right adjudicators in place to be able to then interpret the language of the legislation—

The Acting Chair (Mr. Nolan Quinn): One minute remaining.

MPP Kristyn Wong-Tam: Yes.

Has there been any feasibility or review work done on how long it will take?

Mr. Richard Dunwoody: In setting up a tribunal?

MPP Kristyn Wong-Tam: Honestly, this is a simple question—because I don't know, but—

Mr. Richard Dunwoody: Yes. Neither would I know the requirements.

MPP Kristyn Wong-Tam: Right now, as it stands, there are 13 tribunals—significant backlog in some of them, like really record-high backlog. I just want to make sure that this is going to be a tribunal, obviously to be set up and established—that is going to be a faster process than going through the civil courts, which, of course, now is sitting between 12- and five-year wait times.

Mr. Richard Dunwoody: If the process at the front end, the determination of debt, is done, that's a lot of work with tribunals. I say that specifically because, again, I have not had a disagreement with a single creditor in three years of the support—

The Acting Chair (Mr. Nolan Quinn): Unfortunately, that's all the time we have for this round of questions.

Next, we'll go to the independent member. MPP Collard, you have four and a half minutes.

M^{me} Lucille Collard: I won't be using all the time because I don't really have any questions for you. I really just want to thank you from the bottom of my heart for being here today and providing the comments that you have provided. It is so important.

I just want to note that I took good notes of the issue with victim services being located in police stations, the

importance of having service providers with various expertise, the importance of having the victim determination document being coded with the appropriate privacy, as well as the necessity for a tribunal and the importance of education in schools. Those are very good points that you brought forward. The important thing today is to make sure that we get as much information as possible so that when we get to the regulations to get to the details of implementation, we actually represent all these important points that you have made today.

Again, I just want to thank you so much for being so courageous, being so open and being willing to share all of that with us today.

1330

The Acting Chair (Mr. Nolan Quinn): For the next round of questions, we will go back to the government for seven and a half minutes. MPP Saunderson.

Mr. Brian Saunderson: I know that this is such a complex problem and the supports and the recovery must be very difficult, but the bill does deal with debt forgiveness, so I'm kind of drilling down, just trying to understand how that would work so that we can make this as speedy and efficient and streamlined as possible.

Mr. Dunwoody, I was just going to follow up with you. You talked about the problem children. Who are the problem children?

Mr. Richard Dunwoody: Let me, if I can, address two points. I know that we're playing with words in that. If the debt is fraudulent or coercive, I don't believe it's forgiveness; it's actually removal of fraudulent and coercive debt. In my experience and I think your experience in the banking sector, that happens every day in every financial institution. They get fraudulent debt, and it's proven fraudulent or coercive and they're able to remove it.

Mr. Brian Saunderson: So then the tribunal is going to be making a determination in cases where the creditor won't relinquish the debt, right?

Mr. Richard Dunwoody: Yes.

Mr. Brian Saunderson: Who would you expect that wouldn't—what creditors are we talking about that won't release the debt?

Mr. Richard Dunwoody: From the outset of what I did, I said that I will not publicly shame any company.

This is a difficult issue, and even the creditors that came on board—they did not come on board, let's say, easily in the process.

What we're talking about, though, primarily, are your small payday lenders. What we're talking about are your utility companies—especially the sub-meter rentals; where you're accessing credit at a very easy means, the online type scenario. It becomes a little bit more difficult when we're dealing with large auto loans etc. in the challenge—but if you're methodical in the construct of your determination with the creditor, they're going to agree. Again, it's generally the small ones—the small private landlord who rented a unit and didn't check the identification of who was renting the unit, and it was somebody known to the trafficker but not the survivor.

The Acting Chair (Mr. Nolan Quinn): MPP Kusendova-Bashta.

Ms. Natalia Kusendova-Bashta: How much time do we have?

The Acting Chair (Mr. Nolan Quinn): We have five minutes.

Ms. Natalia Kusendova-Bashta: Okay.

Thank you so much for being here today—and especially thanks to Jasmine and Kaitlin for your courage and determination for being here so that your story can resonate with others and hopefully help others not be in those situations.

Last year, our government introduced Bill 251, the Combating Human Trafficking Act, which was a comprehensive piece of legislation across, I think, seven different ministries. It was one example where collaboration across ministries was so important—because, obviously, this issue spans different ministries, and that’s why it’s so important that we have all the players on board. We have made investments—\$307 million into combatting human trafficking in Ontario, and I think this makes us a leader across jurisdictions.

I wanted to ask you, specifically, a personal question. If you could reflect on your journey and on your story and whether there had been a situation in which a government agency or any type of outreach efforts could have been made that could have prevented you from going down the path you went down, so that we can prevent this crime from happening over and over, especially to our very young children—if it’s not too personal.

Ms. Kaitlin Bick: Thank you for asking that.

I always reflect back to when I was in school—mainly because all of these vulnerabilities that I had that made me susceptible to being trafficked I still carry with me today. I still wake up insecure sometimes. I still look at myself and I don’t feel good. However, I know what those are today.

Being in school—sometimes caregivers are not able to fill those basic needs of their children for whatever reason. I think that almost falls on the community. If a young kid is coming to school and they’re not able to eat, why can’t we have that conversation with them and fill that basic need, if that’s possible? Have those honest conversations. Love that young person. I believe that’s how we’re going to combat this—it’s not doing all the arresting of the johns and all of that stuff; it’s building up our young people when they’re really small and saying it’s okay to not be okay. It’s okay to look in the mirror and not like what you see, just so long as you can own that and feel it and be okay with that and not let someone use that against you. I feel like we could do that within schools.

Ms. Jasmine De Fina: I think I ended up doing independent sex work because of a financial need. I was a student of the University of Western Ontario, and I was hoping to continue through med school, and it was a significant amount of debt. My family didn’t have the money to pay for it, so that’s how I ended up in sex work.

Financial literacy, I think, is huge—and the ability to obtain education for a lower income. I know we have OSAP and whatnot, but it’s not ideal when you do the math.

Like Kaitlin said, it’s the basic needs, insecurities, searching for love and connection to community, and really working on the prevention. I would say, like Kaitlin said, it’s working in the schools, building up the children, really investing in that way and teaching about healthy relationships and access to services.

The Acting Chair (Mr. Nolan Quinn): One minute remaining.

Ms. Jasmine De Fina: When I was being sex-trafficked, I did not know that there were services that existed. Mind you, it was 14 years ago—between what there was and what we have today. I’m really happy about the work that we’ve done in Ontario, being the leaders in Canada on human trafficking, but there’s a big lack of knowledge of the agencies and the support out there, and so I think that’s what kept me in there.

As it relates to banks—my trafficker actually took me into a bank and said, “Empty your bank account.” The bank teller watched him do it, emptied my bank account and handed it to him—so it’s education in even the financial sector. I had landlord debt that I had to pay back, I had Rogers bills that I had to pay back, because this sort of thing didn’t exist. Luckily I was able to do that, but most people aren’t as lucky as I am, leaving these situations. And so that has been my own personal input on that one.

The Acting Chair (Mr. Nolan Quinn): Unfortunately, that’s all the time we have for this round of questions.

Next, we will go to the official opposition. You have seven and a half minutes. MPP Glover.

Mr. Chris Glover: I’ll just pick up on the last point that you just made, Jasmine. You were talking about how your trafficker took you into a bank and demanded that you empty your bank account. We also heard that at least one bank has got an education program now.

Would one of your recommendations for the implementation of this act be that all financial institutions have an education program?

Ms. Jasmine De Fina: Yes, absolutely.

Mr. Chris Glover: And is there an outline for that education program?

Ms. Jasmine De Fina: I’m not sure. Richard?

Mr. Richard Dunwoody: No, not to my knowledge.

Mr. Chris Glover: So there needs to be an education program developed for accrediting financial institutions across the country to identify when somebody who is being trafficked has walked into their—okay. Actually, I need you to say “yes,” just to get it on the Hansard. Actually, I’ll withdraw that question.

I’ll ask another question. Do you agree that we need to have an education program for financial institutions?

Ms. Jasmine De Fina: Yes, I agree. We need an education system for financial institutions.

Mr. Chris Glover: This morning, they were talking about recommendations coming out of this act for the implementation. They were talking about the need that it must be multiple agencies, and I heard you say that’s because of the different communities that are represented, including the Indigenous communities and also the multi-cultural communities across this province.

The other one is that we need an accreditation process for those agencies, so that those agencies can act as an

agent for the survivor, both communicating with the financial agency but also with the tribunal so that the person doesn't have to continue to retell their story. Is that a recommendation that you would support?

Ms. Jasmine De Fina: Yes, I would support that recommendation.

Mr. Chris Glover: And is that the way you would lay it out, or is there anything to add?

Ms. Jasmine De Fina: I would just be curious as to who would be doing accreditation of the agencies. I think the ministry should be involved in that.

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Mr. Chris Glover: Richard, I'll ask that question of you as well.

Mr. Richard Dunwoody: I do believe that there should be an accreditation process. As I said in my opening remarks, I think there should be a standard process that is followed by all accredited organizations. Again, we have to understand transparency and fairness to creditors in the process—that they're not having to deal with different organizations that have different rules and different processes.

Mr. Chris Glover: That's good.

Again, I want to thank all three of you for being here and for your advocacy.

I'll pass it over to MPP Wong-Tam.

MPP Kristyn Wong-Tam: Following up on the question regarding—I think, Mr. Dunwoody, you said, “bad actors.” So there are the credit facilities where the debt is incurred—but there may be some bad actors. Right now, as it's written, the bill only stipulates debt that's incurred under a credit facility. Is there any time when someone who is a victim of human trafficking is forced to incur debt—the coerced debt—that's not obtained from a credit facility?

That question can go to any of the three panellists.

Mr. Richard Dunwoody: I can't recall an instance, but “credit facility” is fairly broad. For example, I've supported many survivors in addressing medical bills, resulting from either overdose or abuse, that were not OHIP-reimbursed.

We look at payday loan companies, for example. They're not able to access the credit reports on the granting of loans—but when they go delinquent, they can assign them to a collection agency which then is able to report. Understanding the context of both forced and knowledgeable, if I look at payday loans as, number one, an easy source—but those loans are generally obtained for purposes of hitting their quota. If they don't hit the quota that the traffickers give them for that day of funds earned, they often will resort to payday loan companies to make up that delta difference.

MPP Kristyn Wong-Tam: Who might be the debt company? For example, if it's not a credit facility—and I'm looking at Ms. Jasmine De Fina; you were nodding that debt could be incurred outside of a credit facility. What would that look like?

Ms. Jasmine De Fina: I was specifically thinking that landlords are a big one that I see.

MPP Kristyn Wong-Tam: Can it be an individual or someone who owns a company, who says, “I'm going to

lend you this money”—or indirectly to someone else? There isn't anything that's written up anywhere, but it's still a debt that follows that individual, and because we are dealing with folks who are operating outside the confines of the law, oftentimes the coerced debt that's incurred is also obtained outside the confines of the law. So what would happen to the debt that's not incurred from a credit facility?

Mr. Richard Dunwoody: If we talk about landlords, often those debts are then—a judgment is obtained through the landlord and tenant tribunal eviction. Again, I foresee this bill as specifically saying, once you recognize the debt, you're prohibited from collecting on it. But these, again, are not residences where the survivors have lived or resided with their identification to obtain those records.

The Acting Chair (Mr. Nolan Quinn): One minute remaining.

MPP Kristyn Wong-Tam: Would it be reasonable to say that the bill as it's written—and I'm not trying to criticize the bill; I just want to understand what needs to go into the regulations to close all the gaps, as many gaps as possible, so we don't have someone who is forced to incur the coerced debt that is obtained outside of a credit facility that may not be met in the landlord and tenant tribunal, which will—at this point in time, it's going to take years, especially if you're a tenant who's seeking it. It's inside baseball. It's literally two years or so if you're a tenant trying to get a hearing date—for those who do incur the debt, who have obtained it from a credit facility, to go through a tribunal that's to be set up. Either way, the survivor is still strapped with this debt for years to come. Is there a quicker resolution to this?

Mr. Richard Dunwoody: Let me tackle one aspect that I have, and I think there's language around—

The Acting Chair (Mr. Nolan Quinn): Unfortunately, that's all the time I have. I feel I've cut you off a few times, Mr. Dunwoody, but that is it for that round of questioning.

Mr. Richard Dunwoody: I'm used to that.

The Acting Chair (Mr. Nolan Quinn): The next round will go to the independent member. MPP Collard, you have four and a half minutes.

Mme Lucille Collard: Again, I don't have any questions, unless you would like to volunteer some supplementary information or you want to share something.

Richard, maybe you want to complete your answer. I'm happy to give you my time.

Mr. Richard Dunwoody: I think there's contemplation that this act, if passed, would come into effect 18 months later, and relative to providing sufficient time for the credit reporting agencies to set up a process. I recognize and I think that that one section could allow for that portion of the act with liability of credit reporting agencies—but survivors need relief today, and they need relief to access housing, education etc., and move forward. Again, the vast majority of creditors have set up a process that exists today and they're providing relief in that. I think that at least the section of the act that prohibits creditors from attempting to collect could come in immediately.

Mme Lucille Collard: My time is yours if you want to say something. Otherwise, we can move on.

Ms. Jasmine De Fina: I just wanted to add that I agree with Richard. I think it's imperative that this gets pushed through as quickly as possible. I think that the way it's worded right now—I'm, again, very satisfied with the language of it, and I think we need to get this bill approved as soon as possible.

The Acting Chair (Mr. Nolan Quinn): That's all the time we have for this round of questioning.

I'd like to thank Richard for starting Project Recover.

I'd like to thank both Jasmine and Kaitlin for sharing your stories today, for your courage in coming here today, and for the impactful work you're doing to also share the message out in the community.

That is it for this presentation. We'll move on to the next one.

COURAGE FOR FREEDOM VICTIM SERVICES TORONTO

The Acting Chair (Mr. Nolan Quinn): Committee members, we have two individuals from the same organization today who would like to participate. As both representatives can be accommodated at the witness table, is there agreement to allow both representatives to participate in person? Thank you.

As a reminder, each presenter will have seven minutes for their presentation, and after we have heard from our presenters, the remaining time will be for questions from members of the committee. The time for questions will be broken down into two rounds of seven and a half minutes for the government members, two rounds of seven and a half minutes for the official opposition, and two rounds of four and half minutes for the independent member.

I will now call on Karen Tallon Franklin. You will have seven minutes for your presentation. Please state your name for Hansard, and you may begin.

Ms. Kelly Tallon Franklin: My name is Kelly Tallon Franklin, and I am the executive director and founder of Courage for Freedom, a registered charity in Canada that does front-line survivor work and also advises, consults, helps develop policy and anything else that needs to happen. As a human trafficking survivor with lived experience, I'm here today to talk about specific things that are being addressed by this bill that I personally had experience with. I'm also here today to represent the over 750 survivors and their families I've had the privilege to support, mentor and represent since 2013. I can tell you that when reading through this, and having engagement with victim services, survivors that were presenting today, Mr. Dunwoody—that we've had multiple conversations.

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I, myself, personally, had a lot of difficulty navigating my exit strategy and my successful life because of coerced student loans and credit cards. I was forced to commit fraud within and outside of the bank and through businesses under the threats and acts of physical and sexual violence. I incurred debts to clubs, massage parlours—anywhere the primary, secondary and tertiary acts that have to do with pornography, sexual exploitation and

human trafficking were occurring. I was indebted to limousine services for rides I never took. And I had third-party overseers trying to collect my debts and those that were even actual registered businesses that, for all intents and purposes, were above-board businesses—as well as transference of debts between businesses. I remember when the student loan system transferred their debt over to Scotiabank. It followed me, even though it was a coerced debt, so I had to negotiate it twice. And there was a double up of the additional payments that weren't the principal—and also stacked debts. Debts would be stacked and shifted—companies renamed—and they would be given to collection agencies, so there would be multiple tiering.

I'm here today because we still have roadblocks to navigating an exiting strategy for reclaiming opportunities and for survivor rights. Credit is necessary in every area of life. You can't rent a hotel room without a credit card. So even if we tell a survivor that they need to exit and we don't have an option for them, which happens, and we're going to be renting a hotel room, if they don't have a credit card, we're stuck.

In housing, education and transportation—we're here today because we need to ensure non-stigmatization, non-victimization and non-human-rights-violations in our privacy and fair treatment, especially in the financial sector.

It wasn't until I was in my fifties that I was able to come out from under my student debt for which I never completed school—sorry; I'm going to get emotional. If you're not comfortable with tears—I am; I cry a lot. They're good tears now.

One of the things that's important is to stop the higher interest rate gouging, which survivors silently are shamed into believing is their lot in life, as another way of continuing to victimize us. Also, the conversations that we're forced to have to negotiate away from those high interest rates or forgiveness of loans violates our confidentiality privileges and our human rights privileges. Misinformed credit scores, creditors holding onto controls because of the effects of the coerced crime—that directs and ensures unethical treatment for us at a basic human rights level.

Today, because I have worked to clear myself, I hold titles to property, vehicles, credit cards, loans, agreements, and I even have a line of credit for Courage for Freedom and am a signing authority, financially, as a trusted person with finances. By reclaiming access to financial and credit privileges, along with financial literacy—they have to go hand in hand—and opportunities to provide self-directed areas so that survivors can self-direct their lives, they will be able to access societally normative opportunities that we all should be able to enjoy. Under Public Safety Canada, we're guaranteed two things: We're guaranteed protection, and we're guaranteed happiness. Financial freedom offers us that happiness.

A financially self-directed life is not the only piece of the anti-human trafficking and sexual exploitation response to the puzzle, but it is a vital support necessary for full freedom towards a reclaimed future that has been interrupted by past coerced crimes.

I want to make note that there are global financial educational programs. They're available through FINTRAC, and they're also available through Interpol. I've just come back from Warsaw, Poland, working with the office of security and the Council of Europe and the Office for Democratic Institutions and Human Rights. I have a robust model in national referral mechanisms that I'm going to be putting forward nationally, and I hope Ontario will adopt it, even before we do federally, with lots of information that will help you going forward in all your committees and all—

The Acting Chair (Mr. Nolan Quinn): One minute remaining.

Ms. Kelly Tallon Franklin: I want to say that the bill is a victimization resolution specific to the crimes, and under the precedents set out, it will serve to implement the Ontario strategy in its full effect. I want to say that across cultures and ethnicities, socio-economic and geographical dimensions, accreditation for standards for this will ensure that there are no more human rights violations in the delivery system. Our government's committees with IGOs, NGOs and stakeholders are vital. And today we are here to say that this bill is a cross-cutting recommendation to address the challenges and shortcomings in some of our past actions and the way we've done things in the past. I want to say that this is durable, sustainable and a solution. It will play a significant role in the survivor-led promotion of and demand for our rights as survivors, recognized as leading stakeholders, not just a seat at the table, and that today's multidisciplinary—

The Acting Chair (Mr. Nolan Quinn): Unfortunately, that's all the time we have. I apologize, Kelly; I have to cut you off.

I will now call on Carly Kalish. You will have seven minutes for your presentation. Please state your name for Hansard, and you may begin.

Ms. Carly Kalish: I'm so excited and honoured to speak in front of the Standing Committee on Justice Policy. My name is Carly Kalish, and I am the executive director of Victim Services Toronto. We're here to encourage you to enact Bill 41, which will significantly help survivors of human trafficking trying to rebuild their lives.

I'd like to start by telling you a story. Victim Services Toronto provides immediate crisis response to human trafficking survivors 24 hours a day. A young woman called our crisis line in the middle of the night. She told us that she was being forcibly confined in an apartment by her boyfriend. She wasn't allowed to go out on her own or be in contact with any friends or family, and she was forced and exploited in the sex trade. Finally, one night, when he was asleep, she worked up the courage to break the door and ran barefoot to the nearest Tim Hortons. Once she was there, she googled—they have free WiFi—"help 24 hours a day," she found our number and she called us. We sent her a cab that minute to Tim Hortons, and we just Ubered her to our office. We offered to set her up with safe accommodation, as we do, but she was so emotionally exhausted that she simply slept on our couch. In the morning, she was confused. She had trouble remembering her own name, and she disclosed to us that she was pregnant. She couldn't decide whether to go back to her

trafficker or to start to rebuild her own life. This is the question all survivors ask themselves. One of the big concerns for this someone was, obviously, her lack of resources. She had no home. She had no money. Any time she considered leaving her trafficker in the past, he threatened her and he told her that she would be in extreme debt without him. It turns out that he had used her name to open a credit card and to also apply for a car loan, such that she would be responsible for all of that debt if she ever tried to leave him. This is a common story that we hear daily. We now know her name is Jessica. We are proud to say that we support her at Victim Services Toronto. She is now doing very well, and she is the proud mother of a healthy baby girl.

The question of whether a victim of human trafficking is well-resourced enough to leave their trafficker is never one that a victim should have to face.

The average debt for a survivor of human trafficking in Ontario is estimated around \$20,000 per survivor.

In November 2022, Victim Services Toronto acquired an organization dedicated to supporting survivors of human trafficking by working with Canadian creditors, banks, telecom companies, car rental companies and property managers to remove fraudulent and coercive debt in the victim's name; this is called Project Recover. Our program aims to ensure that survivors are not re-victimized in the process of rebuilding their lives. The current challenge is that not all creditors and property managers are equally inclined to take the action necessary to cancel the debt owing in the name of the victim. Even if they are willing—and many are willing once they're made aware of the situation—it takes a long time and a lot of effort to ensure that credit bureaus remove the fraudulent debt that drags down the creditworthiness of the survivor. Amending the Consumer Protection Act to prohibit financial institutions and collection agencies from collecting debt survivors have accumulated while being trafficked will, in fact, change their lives.

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We would like to express our deepest compassion for survivors of human trafficking, especially the ones who are brave enough to speak here today. These individuals have endured unimaginable exploitation and violence and deprivation of their basic human rights. Their resilience in the face of such trauma is awe-inspiring. It is our duty as a society to ensure their voices are heard, their suffering is acknowledged and their path to healing is restored.

We at Victim Services Toronto applaud the members of provincial Parliament who have worked hard to bring this important piece of legislation to committee. Thank you so much for hearing our support of Bill 41. We urge the committee to continue moving forward with this legislation.

We're also happy to talk about the current process of Project Recover within Victim Services Toronto and why we think it actually should be the sole verifier—instead of having to go through a tribunal, which will, in fact, retraumatize survivors. Thank you.

The Acting Chair (Mr. Nolan Quinn): Thank you for your presentation, Carly.

We will start this round with seven and a half minutes from the official opposition. MPP Glover.

Mr. Chris Glover: First of all, thank you to all three for being here and speaking out today and for your work in this area.

We heard earlier from other deputants, and we heard from some of you as well, about how a lack of resources keeps people as victims of trafficking—the lack of food, clothing, shelter, money. If you don't have access to those things, then you don't have an escape plan.

I'll ask my first question of Kelly. I'd like to ask you, what are the things that make somebody vulnerable to a trafficker?

Ms. Kelly Tallon Franklin: So those are two questions. You're asking me—sorry; could you reframe the question for me?

Mr. Chris Glover: Sure. The first question—I'm reiterating what I heard; if you could add to that or, if I've got that correct, just let me know if I got that correct.

Ms. Kelly Tallon Franklin: I wasn't impoverished before I was trafficked. I did not have any need or reliance on drugs before I was trafficked. I was not involved in the criminal justice system or had spent time in jail. I was not dependent on what is now called Ontario Works. I was on a trajectory, living in a \$2.5-million home in the manors of Sherwood, where my father was a high-level CEO for an IGO for the government.

The first thing is, this can happen to anyone. There are pockets of vulnerability that would predispose somebody.

On the back side of it, when we're talking about the solution, which is what Bill 41 is, we have to understand that it is basic needs and basic human rights.

Looking at the prevention at the front of this, I believe, if you're asking the question straightforwardly about educational needs, my answer would be a definitive yes—yes, we need financial literacy education starting at a very young level. But we also need education about body consent and body propriety and who owns the right to your consent, over your money, over your body, over your life.

I hope that answers your question.

Mr. Chris Glover: Yes. I'm hearing—and we've heard that earlier today as well—that there's a need for education in schools, and there's a need to prepare people and warn people that this is happening.

You also mentioned that Interpol and—

Ms. Kelly Tallon Franklin: FINTRAC. They're the banks' system to actually track money for human trafficking. It's available in Ontario. The police currently use it. Victim services knows what I'm talking about. I actually do training with them to give them survivor-support information. So there are resources available that we could tap into to maybe save some dollars and not re-create the wheel and have to operate in another system.

Mr. Chris Glover: The service that you're talking about, would it fit the—we were talking earlier today about the need for financial agencies to have an education program.

Ms. Kelly Tallon Franklin: There are four co-operating banks in Canada. If you talk to the national anti-human trafficking efforts, they would be able to tell you which banks are already complicit in training all their staff across the board on understanding coerced debt, all manners of debt on both sides—traffickers, buyers or perpetrators, and

those who are victims. So there already are some standing protocols on this that are doing very well, and the four major banks have already started their training on them.

Mr. Chris Glover: How recent is that? You were talking about when you were walked into a bank and—

Ms. Kelly Tallon Franklin: Last year, there was an update on it. This year, at the Toronto police convention, and a year ago, at the national police convention held in Toronto, FINTRAC was available and all agencies, IGOs, NGOs, victim services—everybody—we were all at the table, and they were working on this.

Mr. Chris Glover: Thank you. I'll pass it to MPP Wong-Tam.

MPP Kristyn Wong-Tam: Thank you very much for your reply.

Specifically to Carly—thank you very much—the story that you started off with could have gone either way.

Ms. Carly Kalish: Totally.

MPP Kristyn Wong-Tam: I was happy to hear about what I think we could all describe as a happy ending. But the victim herself had to have certain criteria in place in order for her to make the decision to walk away. What did your organization put into place so that she was enabled to do that?

Ms. Carly Kalish: What victim services, in general, does is, we help people in the immediate aftermath of crime or sudden tragedy. We physically go to the scene of the crime, should law enforcement want us there. But contrary to many people's understanding of victim services, we're not affiliated with the police. We're a completely separate charitable organization. We meet people in the community or wherever they need to meet that is safe and comfortable for them. We also have a crisis line 24 hours a day for the community and for victims themselves or for a shelter, for example, to call us, who want nothing to do with reporting to the police but need support in that moment.

Our program at victim services is to help provide basic needs so that somebody can leave that situation or navigate the bureaucracies in which they will have to navigate now that they are a victim/survivor of a crime; for example, finding safe accommodation, helping people find—we provide meals. We help navigate all of the services that they will now intersect with. We also can provide financial assistance to survivors, and emotional support, of course.

MPP Kristyn Wong-Tam: I don't know the statistics across Ontario, but I know—because you're located right in Toronto—the shelter system in Toronto right now is entirely full. We have people in encampments. We've got people who are—

The Acting Chair (Mr. Nolan Quinn): One minute remaining.

MPP Kristyn Wong-Tam:—desperately trying to get access to housing, to shelter and transitional beds, and they cannot. Those are the ones who are already fighting to survive in a system. For the survivors you're touching base with—I think Covenant House has a small number of beds, five or six beds. Aside from Covenant House, which has those human trafficking beds that are set aside—and the fact that the shelter system in the city of Toronto is

full—where are you referring people to, just out of curiosity, because we’re finding some difficulties here.

Ms. Carly Kalish: There are specific houses that are for human trafficking survivors. I’ll give you an example of one that’s not in Toronto but that we refer to often, through Elizabeth Fry: Bonnie McPhee. For example, there are services that are specific to human trafficking. It’s dependent on if there is room, and we have a list of resources that we would tap into should we need to, should the shelters be full. But—

The Acting Chair (Mr. Nolan Quinn): Unfortunately, that’s all the time we have for this round of questions.

The next round will move to the independent member for four and a half minutes. MPP Collard.

M^{me} Lucille Collard: First, I just want to thank you for the incredible work that you do and for your advocacy. I think that without all of that, we might not have been here today speaking about the importance of this bill. You’re the ones who inspired us to do that and to come forward with some kind of solution that is happily being agreed upon by all parties.

1410

Carly, I think you wanted to speak about what would be an appropriate responsive process for the effective implementation of this bill, so I’d like to hear you on that, because the next step is regulations, and we need all the information that—

Ms. Carly Kalish: Yes. My fear with the tribunal is simple. If most people and most creditors and most of the credit facilities which we currently work with are cooperative and there are a few that are not—if we create a tribunal process, we’ll actually be creating a mechanism in which they can fight, number one.

Number two: If there is a tribunal, you’re then asking survivors to go in front of someone and tell their whole story, which is incredibly traumatizing. We know that most human trafficking survivors don’t currently press charges and pursue the criminal justice system because of how retraumatizing it can be. We have survivors we’ve supported who say, “I have the trauma of being trafficked, and I have the trauma of going through the criminal justice system.” So if you create a tribunal, you’re creating another mechanism in which you’re putting them on trial, where they have to share intimate details of their trauma in a room, which we know is not best practice and not trauma-informed. For that reason, we think that’s problematic.

I couldn’t agree more that survivors should have a choice of where they go, and it shouldn’t just be a one-size-fits-all in one agency. But Project Recover is already built and has a process to do that collaboratively with partner agencies. For example, I’m going to read you the five steps of our current process so you understand what it currently looks like.

Survivors are referred by a community agency equipped to support HT survivors—so a survivor can’t just simply call us; you already have to be connected to any social service agency of your choosing that’s helping you meet all of your basic and emotional needs. You have an advocate with you and present with you at every step of Project Recover’s support. So you are choosing that

person. Whether that is an Indigenous survivor who is seeking specific cultural supports from an Indigenous-specific agency, they should have that—step one.

Then, Project Recover meets with the caseworker, the advocate of those other agencies and the survivor to gain insight into the survivor’s situation and gather organization and action so that we can advocate on behalf of the survivor to the creditor. If you just let any social service agency do this which has expertise in human trafficking, they won’t have the expertise in the financial or credit world. You need to give this to an agency like Project Recover or Victim Services Toronto, which both have expertise in human trafficking and financial advocacy in banks.

Step three is that Project Recover collects transactional history and—

The Acting Chair (Mr. Nolan Quinn): One minute remaining.

Ms. Carly Kalish:—financial records from creditors and prepares a summary and requests that the creditors remove liability from a victim to amend their credit report. Creditors complete their own investigation and provide approval. Creditors have to be part of this. If multiple social services were involved in this, it would be an operational and optical nightmare for creditors. It has to be streamlined so that it makes it easy for creditors and it makes it easy for survivors, with choice as part of the process, with partner agencies, where they’re comfortable, as part of the process. Don’t exclude those agencies—but it should be someone with both those expertise, like Project Recover.

The Acting Chair (Mr. Nolan Quinn): For the next round of questions, we will go to the government, with seven and a half minutes. MPP Hogarth.

Ms. Christine Hogarth: Thank you, everyone, for being here—and past speakers. I want to thank you all for sharing your stories. These are tough stories to hear, and we know that there are people out there—so I thank you for that.

When you talked about sole determination or a tribunal, what type of skill set would you like to see people on that tribunal—or what kind of skill set is necessary to have that very important role?

Ms. Carly Kalish: I actually don’t think there should be a tribunal. I think that survivors, if they are being referred through an advocacy agency whose job—the advocacy agencies across Ontario that have expertise in human trafficking, that support survivors of human trafficking every day, should be the ones that make referrals. They’re already vetting that this person is a survivor of human trafficking.

I’m going to pass it over to my colleague Gursharon Singh, who is an expert on the financial piece, who can break down our process and why we don’t think a tribunal is necessary.

The Acting Chair (Mr. Nolan Quinn): Can you state your name and your organization, please?

Ms. Gursharon Singh: My name is Gursharon Singh, and I’m the financial recovery advocate at Victim Services Toronto.

Speaking to the fact that survivors are referred to Project Recover by a community agency that has verified that they've been trafficked, as well as the investigative analysis that is done from a social work perspective to confirm their experience, as well as taking a look at financial transactions to confirm the summary that the survivor has provided to us—I think that the program is equipped to verify for both the creditor as well as from the perspective of social services and making sure that this program is credible. I think that it satisfies the need to ensure that the experience of the survivor is—I don't want to use the word "true," but that it is true enough to be able to benefit from this bill.

Ms. Christine Hogarth: My second question actually comes from the person who's actually making these charges on the victim—do we see or do you have any doubt or do we ever go back and try to collect from those men? And does it ever affect their credit score or credit rating? It should hit them in their pockets.

Ms. Carly Kalish: Yes, that would be great in a dream world, but I think that there's potentially risk to the survivor if you do that. So with a survivor's consent, I would say we're in support of that, but without the survivor's consent, I would worry about retaliation.

Ms. Kelly Tallon Franklin: I want to add that there's not one of the 750 survivors I work with that I would ask them to have to validate their capacity to endure a tribunal—let alone going forward with criminal compensation that we no longer have. They are victims of another crime. This forced debt is coerced crime. So to ask them once again to stand up and represent themselves—I think that our government and even this bill would be complicit in victimization, and I don't think that's where you're headed.

The Acting Chair (Mr. Nolan Quinn): MPP Scott.

Ms. Laurie Scott: Thank you to everyone for coming. I've known a couple of you for maybe 10 years or so—Kelly and Carly—and I appreciate your incredible strength as you have gone through in helping survivors.

To the point that we're here today talking about coerced debts and how do we have this balance of not revictimizing, and why you need to have the trauma-based background in order to help survivors, and have the relationship with banking institutions that I know you have—and that balancing act that needs to occur. This is why we're here at committee doing the input to try to get the information to make it the bill that I think we all want it to be—which is protecting and allowing survivors to move forward with their lives.

Carly, if you wanted to add anything more or tell a story and the interconnection that you have with agencies already, because I know that having been involved in and spoken to different agencies throughout Ontario—if you wanted to expand any further on that process.

Ms. Carly Kalish: Sure, and then maybe I'll get Gursharon to explain how many survivor advocacy agencies we have trained in financial literacy and how to make referrals to Project Recover and all our partners there.

As my colleague from the Canadian Centre to End Human Trafficking spoke about this morning, Victim

Services Toronto is an incredibly reputable agency that supports over 400 survivors of human trafficking annually. We have multiple partnerships with multiple social service agencies in the human trafficking world, but also outside of it because we help people of all crime types—70% of our clients are survivors of gender-based violence, but we have partnerships, of course, for the survivors of other crimes. We sit on multiple committees. I think Richard mentioned that there was an oversight committee when he started Project Recover. Victim Services Toronto has continued that oversight committee with financial partners who are keen to continue on that committee; Victim Services Toronto has solely taken it over, without Richard. I can't speak enough about how we believe that collaboration is the new competition—and we believe we have to do everything in partnership. So we're not saying we want to be the only ones who verify because we think we're the only ones who know how to do it, but it's because we do it in collaboration; we do it in a partnership with all of the other advocacy agencies so that clients and survivors and victims can have choice. We also believe that in order to help survivors, you have to do this in a way that is timely; you have to do this in a way that is feasible.

The Acting Chair (Mr. Nolan Quinn): One minute remaining.

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Ms. Carly Kalish: So all of these things are factored into why we believe that one agency should be the verifier, in partnership with all of our advocacy agencies, actually, across Canada. Victim Services Toronto, although local in scope for crisis—Project Recover is national in scope, and we are building and have built partnerships across the country and are seen as experts in human trafficking across the country.

Ms. Laurie Scott: We only have a few seconds left—so, Kelly, maybe next time. You're doing international work, and I want to commend you for not only—a long time ago, we met outside of London—what you were doing on the local level, but now you've spread internationally to help victims and survivors.

Ms. Kelly Tallon Franklin: This is an important issue, because I continue to see it in my day-to-day work here in Ontario.

Ms. Laurie Scott: Absolutely.

The Acting Chair (Mr. Nolan Quinn): For this round of questions, we'll go to the official opposition. You have seven and a half minutes. MPP Glover.

Mr. Chris Glover: Again, thank you all for being here. Everybody in this room who has spoken, whether we're in government or not, has said that we need to get this bill through and implemented as quickly as possible. I think that's the place of universal agreement.

This morning, when I was asking questions of James from the Canadian Centre to End Human Trafficking, he was saying that we need an agency—that we want to make sure that the process of removing these debts is trauma-informed and it doesn't revictimize. What was suggested was that we have an accreditation process for agencies so that they can act as agents for the survivors, so that the survivor doesn't have to keep going through—as you said,

whether it's at the tribunal or with the credit agencies—continuing having to retell their stories. Would you be supportive of that kind of process—where an agency has an accreditation process, and then that agency then works as the agent for the survivor, both at the credit agencies and, if there's a tribunal, at the tribunal process?

Ms. Carly Kalish: Is that question for me?

Mr. Chris Glover: Sure.

Ms. Carly Kalish: I would be supportive of it if the agencies had both financial expertise and human trafficking expertise. I think what I've learned by acquiring this program is that you require both in order to partner with creditors. I don't know how many agencies have that expertise. I think that it requires both—and if there was a process in place, then who would be the determiner of that expertise? I also think that process would take some time, and I think there's a faster way to do it that could help survivors more quickly and more timely—which is what I think everyone agrees we need now.

Mr. Chris Glover: We need representation for agencies that are serving people from different communities, including the Indigenous communities and the multi-cultural and multilingual communities in this province. We need a process that's informed for them and that represents them. Would you not support those agencies that represent those communities being able to get an accreditation to represent their clients?

Ms. Carly Kalish: Yes, absolutely, as long as they also had expertise in human trafficking and the financial expertise in order to advocate on behalf of creditors.

I will say that Victim Services Toronto has 35 internal languages—so the capacity internally just through our staff, and then of course we work with MCIS and we have 200 additional languages through there. We also have multiple partnerships with Indigenous agencies.

Again, because Project Recover is already set up to work in collaboration with advocacy agencies, you actually have to have an advocate from your community in order to be referred, which means a social service agency of your choosing that works with survivors of human trafficking, that works alongside you and Project Recover to advocate for you. So I'm not sure why that wouldn't be a viable option, if it already exists, and it would be faster for survivors and would be trauma-informed and culturally sensitive.

Mr. Chris Glover: So you're not sure of what would be a viable option?

Ms. Carly Kalish: I'm sorry?

Mr. Chris Glover: You said, "I'm not sure if that would be a viable option."

Ms. Carly Kalish: I'm saying that the way Project Recover is currently set up, it's for survivors to choose the social service agency of their choosing, whether that be an Indigenous-specific agency or a linguistic-specific agency or culturally specific agency, and then we work alongside that agency and the survivor to advocate to those creditors. Everything is trauma-informed, so you're not having to tell your story to an additional service provider, and you're choosing the social service provider.

Mr. Chris Glover: So you're telling your story to the initial agency that you contact.

Ms. Carly Kalish: That's right.

Mr. Chris Glover: And then that agency works as an agent for you at—what you're suggesting is that they work as an agent for you at Victim Services Toronto rather than at the credit agency or rather than at a tribunal.

Ms. Carly Kalish: As we have the expertise in both the human trafficking and the financial expertise—that's the difference.

Ms. Kelly Tallon Franklin: As the lead IGO/NGO, they would be working with existing structures in frameworks that don't need to be tampered with—only to add some additional things. The Canadian Centre to End Human Trafficking already has a vetted list of service providers that go through an in-depth application process. So Victim Services Toronto knows, if they have an advocate call from those agencies from anywhere in Canada, that there's already an agreement and a working agreement with the Canadian centre—that we know those advocacy agencies are survivor-informed at the highest level and trusted to prevent revictimization.

I can give you a real-time example. There are organizations out there that are doing work culturally, like Nisa Homes, that are the first 10 women's homes representing—as we've worked with them through the Canadian Council of Muslim Women. Instead of working with them off-radar, we helped them to go through the process, to vet their homes and start working collaboratively in the anti-human trafficking field to ensure that they're proven, so that if victim services is going to work with their client on recovering debt, they're already hand in glove.

Sorry; I just thought it was important to add that, with the cultural component.

Mr. Chris Glover: It sounds like an extra step, though. You're saying that the Canadian Centre to End Human Trafficking already has an accreditation process and they've got a list of accredited agencies—

Ms. Kelly Tallon Franklin: You just look it up on the web page to see what you'd have to go through to have your name listed on their web page as an open resource to be able to refer to by victim services, by a hospital, by a trauma unit, by police, by families—by anybody.

Mr. Chris Glover: There's an accredited list already. So if a survivor goes to one of these accredited agencies, could the agency not go to the credit agency and say, "We're an accredited agency"—

Ms. Kelly Tallon Franklin: No. They go through Victim Services Toronto and Project Recover, and that has been a successful project.

Ms. Carly Kalish: If they—

Mr. Chris Glover: Sorry; just let me verify that last question. You're saying that what you're proposing is that they go through Victim Services—

Ms. Carly Kalish: No, that's currently what's—

The Acting Chair (Mr. Nolan Quinn): All comments should go through the Chair, just as a reminder.

There's one minute remaining as well.

Mr. Chris Glover: Through you, Mr. Chair, to Kelly: I just wanted to clarify that comment. So you're—

Ms. Kelly Tallon Franklin: They've historically gone to Project Recover as the listed organization that has the credibility to make actions happen.

In survivor circles, as well, when things start to work well, survivors lead other survivors to go through the right channels.

The Acting Chair (Mr. Nolan Quinn): Thirty seconds.

Mr. Chris Glover: I'll pass.

The Acting Chair (Mr. Nolan Quinn): For the next round, we will go to the independent member for four and a half minutes. MPP Collard.

M^{me} Lucille Collard: I have a couple of questions of precision, I guess, to ease my mind onto the next step forward.

I'm a little bit worried about how we ensure that victims across the province can actually receive the help that Project Recover can offer. You're Toronto-based. What about the people in Thunder Bay, in Ottawa, in Cornwall?

Ms. Carly Kalish: That's exactly the work of Gursharon's team.

Do you want to explain all of the social service agencies from all of the places that have already signed on from across the province—actually, from across the country—and how you train them and what you do?

Ms. Gursharon Singh: Our program is accessible digitally. We are required to meet with survivors at least once, which we can do via a web call. All of our other work depends on documentation and communication with creditors, which is all digital, like most outfits nowadays.

The other piece is that we already have an existing infrastructure with creditors to safely exchange information and to respect survivors' privacy. I think that's another component of this—to ensure that as consumers, they are able to access the same privacy rights as other consumers, even though they're going through a program such as Project Recover, and that's an infrastructure that we have set up with creditors.

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M^{me} Lucille Collard: My other concern with having one agency, or even if there were multiple agencies that were able to try to help victims deal with the debt and get it erased from the record, without a tribunal—what do we do if you're unsuccessful in trying to convince the creditor that the debt was coerced? In my mind, the tribunal was going to be that avenue that would actually help. Then you could have the advocate appear on behalf of the survivors. I'm not contemplating at any point that survivors should be having to go to the tribunal, so—

Ms. Carly Kalish: I think that would work if there was a way to narrow the scope of who could use the tribunal. Most creditors, again, are our allies in this and are incredibly supportive and remove the fraudulent and coercive debt through a few phone calls, but for those that aren't, which Richard called "the problem children"—you don't want them to then use the tribunal as a mechanism to then retraumatize someone, number one; or elongate the process in which their debt is removed, number two; or a mechanism which even creditors who are on side might then use to say, "Well, why wouldn't we just take this to the tribunal? Why wouldn't we just go and fight this? We

have the resources to be able to do that." So if there was a tribunal in place—I'm not sure the legal language in which you'd need to write in to make someone a verifier or to narrow the scope in which someone could access a tribunal; it would need to be written very specifically. Otherwise, Bill 41 is moot. What's the point of having Bill 41 if everyone then can use the tribunal and might win or might lose?

Does that make sense?

M^{me} Lucille Collard: Yes, it does, totally.

The Acting Chair (Mr. Nolan Quinn): One minute remaining.

M^{me} Lucille Collard: If we don't have a tribunal process and then the organization—it might be Project Recover—is unsuccessful in convincing the bad creditor that it's debt that should be removed, what do we do? Do you just pay for the debt yourself? What's going to happen?

Ms. Carly Kalish: We would need to somehow build a mechanism into place to protect survivors from that, and I think that becomes a question for the committee in terms of how you—to me, it's semantics. How do you write that in a way that this becomes strong enough legislation that it can stop banks and creditors from doing that without then just going to a tribunal and allowing anyone to use that as an opportunity to make it harder for survivors to eliminate their fraudulent and coercive debt? I think it's a—

The Acting Chair (Mr. Nolan Quinn): Unfortunately, that's all the time we have for this round of questioning.

The next round will go to the government for seven and a half minutes. MPP Saunderson.

Mr. Brian Saunderson: My question is, first, to Carly. We've heard in the last two presentations about Project Recover and how you interface with the agency or service provider that the victim selects and then work to usher that through the financial institutions to try to get the debt released. Is that an accurate summary of how it operates?

Ms. Carly Kalish: Do you want to reiterate this? I butchered it.

Ms. Gursharon Singh: Sorry; could you just repeat the question?

Mr. Brian Saunderson: I'm really just trying to drill down on the operation of Project Recover. You've explained the process a bit, and I'm wondering if you can talk about your success rate in terms of when you go to deal with the financial institutions. You've talked about four national banks that have some training in place, so presumably they're a little more enlightened about this situation, but we've heard about the problem children—so if you can talk to us a bit about your operations to date and what your success rate has been.

Ms. Gursharon Singh: Project Recover's success rate is over 90%. Part of that is due to the investigative analysis that is done prior to presenting the case to creditors. So speaking about that trauma-informed piece—an agent to Project Recover would have the training to be able to gather the information necessary from the survivor, as well as the necessary authorizations to pull financial transactions from the creditor to ensure that the summary and the request that we're sending is a sound one.

Mr. Brian Saunderson: Mr. Dunwoody spoke earlier about how he had a checklist prepared that he has been

using with financial institutions—and you’re presumably using something similar?

Ms. Gursharon Singh: Somewhat, yes.

Ms. Kelly Tallon Franklin: As a survivor advocate, I’ve actually been privy to the checklist and worked with it—working through with survivors to see them be one of those 90% successful.

Mr. Brian Saunderson: Kelly, you talked about how you’ve recently been at a national conference on this topic, and you’ve got a fairly large manual there. How does that play in? Is that manual at all utilized by Project Recover?

Ms. Kelly Tallon Franklin: The principles are. Richard and I have been colleagues for a lot of years, and I’ve worked through and with sharing clients with victim services, Covenant House, Lavender house, Bonnie McPhee house. I’m an old girl with a lot of mileage, so I’ve built a lot of allies; I’m really dependent on them doing their work. I know victim services subscribes to what will be coming out of the United Nations as the standard that eventually we will be ratifying in our province, if not nationally. I’m quite confident in saying that this is already happening in the work that we’re doing today. We’re in front of this. We have the horse out of the barn with the cart following, as opposed to a lot of other provinces. That’s why I wanted to speak today—to ensure we continue in the vein.

I want to say that if this is available to some of those who are looking at exiting strategies or self-care and their credit is recovered, they can rent their own apartment. They don’t need to become homeless. We have to understand that by giving them their own financial capacity and giving them perpetuity in their finances through some credit relief and justice, we are actually going to provide the framework in financial matters that is going to lead them into their own useful structures, and they will rely on less services from our colleagues like victim services, like safe houses, like secondary and tertiary supports. When you cannot have somewhere to live, you can’t think of doing anything else when you are homeless. If your credit will not withstand the landlord credit check, you are completely system-reliant. That systemic change is going to be the result of Bill 41. I am very hopeful on that.

The last thing that’s really important to me is that there is a mechanism in place for oversight for whoever—I don’t know the proper term, so forgive me—the lead agency is on this that’s going to be responsible for the national delivery plan on Project Recover; that they have oversight from an independent body of financial council, and they also have an individual oversight from a survivor-leader council that actually works in co-operation together to ensure that they continue to listen—as they have, as Richard has—to survivor-leaders.

Mr. Brian Saunderson: Maybe this is an unfair question. You’ve got a very impressive success rate, at 90%. I’ve dealt with banks, and that’s an excellent return. Do

you have any thoughts on the 10% that aren’t successful? What is the best and fastest way to try to resolve those?

Ms. Gursharon Singh: I think the provider of this service would also need to provide wraparound care. The reality is that a 100% success rate is probably not reasonable to expect, and those survivors will still have financial needs. I think it’s important that they access financial literacy from a trauma-informed lens. Although we’re aiming that they have financially normative experiences going forward, the reality is that they didn’t have the same experiences as most normative consumers. So it’s important that they have access to the same consumer education and protection from a trauma-informed lens, from someone they trust.

The Acting Chair (Mr. Nolan Quinn): MPP Kusendova-Bashta, you have about a minute and a half.

Ms. Natalia Kusendova-Bashta: Thank you to all the presenters today.

Kelly, it’s so great to see you again. I just wanted to ask you two very quick questions.

I thought your #ProjectONroute and #ProjectMapleLeaf were highly successful—especially raising awareness among our 400-series highways. We had a lot of our MPPs participating in the past. I was wondering whether there is any update or whether there are any similar actions being planned for this year.

I was in Poland recently as well. It’s interesting to see that Warsaw is where your international conference was held, especially with everything that is going on with Ukraine.

I never even thought of it until now—have you seen any impacts of the war in Ukraine on human trafficking? And have those impacts reached us here in Canada?

Ms. Kelly Tallon Franklin: Yes, they have. We have actually had victims and survivors of human trafficking through the pipelines, both into and out of Ukraine, placed with unidentified agencies. We’ve seen the community rise up and try to support and not know trauma-informed work and start putting networks out on Facebook etc., where victims were then retraumatized by having offers to stay in apartments, because they had no credit, so they’re forced to stay somewhere—

The Acting Chair (Mr. Nolan Quinn): Unfortunately, Kelly, that’s all the time we have for this round of questions.

Thank you to all the presenters for taking the time today and for all the important work that you’re doing.

At this time, we will recess until 3 o’clock.

Interjection.

The Acting Chair (Mr. Nolan Quinn): In closed session; sorry.

The committee recessed at 1441 and later continued in closed session.

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