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MÉMOIRE

Pour

Commission spéciale sur l'exploitation sexuelle des mineurs

Consultations particulières et auditions publiques sur l'exploitation sexuelle des mineurs

The South Asian Women's Community Centre, (SAWCC) of Montreal is a Québec feminist organization of women from a diversity of ethnic, cultural, linguistic, spiritual and religious backgrounds. We were founded in 1981. We are a service, support and advocacy organization for South Asian youth, women and their families. However our services and membership are open to non-South Asians as well. We promote social and economic justice for immigrant and refugee women within Quebec society and support equity and self-determination. We are guided by the international *Convention on the Elimination of all Forms of Discrimination Against Women* (CEDAW) and the Canadian and Quebec *Charters of Human Rights*. We are informed by a feminist ethos and sisterhood, and we are guided in our work by principles of intersectionalityⁱ, equality, equityⁱⁱ, and transparency. In Quebec we belong to regroupments of women's centres and groups working with immigrants and refugees, and we are a member of the Federation des femmes du Quebec.

Our position, on the issue in question is based on our work and experience of the past forty years. We want to make explicit that we are totally opposed to sexual or any other kind of exploitation of minors. At the same time, we are opposed to laws that both incorrectly define exploitation of minors and also aim to limit the mobility and movement of minors. We do not believe that the Commission should be considering the implementation of new laws, but rather, they should be working to define and understand how the current laws operate and impact on youth, and whether or not they are adequate in addressing exploitation. We do not believe that additional laws would solve the problem. In fact all the literature demonstrates that in societies like ours which have strong legal systems, adding further laws do not reduce harm. In fact what has been observed is that adding laws may create a false sense of security and harm

reduction. People who seek to exploit youth are not deterred by laws and may even be encouraged by laws that focus on repression instead of ensuring access to human rights protections. So in order to tackle exploitation of minors we need to address the causes – why are minors in vulnerable situations that make them prey to exploitation. And we need to broaden what we look at with regard to exploitation of minors, beyond a narrow focus on *sexual* exploitation, (which often gets conflated with the sex industry and includes adults in responses). We need to look at a minor in a holistic way and examine why minors are in situations where they are vulnerable and precarious. Socio-economic, political, psychological, emotional factors all need to be addressed, including the reasons that minors leave home to begin with. Then resources need to be provided to assist those already working with minors so they can carry out their work and mandates without being over-burdened and over-stretched. We know that youth workers, social workers, family support workers, educators, etc. play a much more positive role in preventative work and in harm reduction. But as we know these systems are in crisis through under-funding and lack of resources. In Quebec the Department of Youth Protection is being investigated with a Commission. Problems with Youth Shelters are also being looked at. We hope that there will be positive outcomes from youth as a result of this work.

Within families emotional, psychological and financial issues can make the home a difficult environment for young people. Parents and guardians need to be provided supports. Wages need to increase so children can have their parents take care of them; there needs to be more social housing with affordable rents. All so that parents are absent from the home a lot because they have to work two jobs to make ends meet, individuals now known as the ‘working’ poor; so that they’re not stressed and impatient at home. Families in distress need support and assistance so that young people don’t feel compelled to run away from home. Or if youth need to leave, there should be safe places for them to find shelter, and information about such places needs to be available in places frequented by youth or accessible to them – schools, malls, social media, etc.

Minors need education about life’s realities, potentially harmful situations and relationships. Programs that strengthen self-esteem and decrease vulnerability go a long way in harm reduction and preventing youth from finding themselves in vulnerable and potentially dangerous and exploitative situations.

That being said, institutionalization of youth usually exacerbate personal or familial problems. If youth have safe, secure homes they will not want to leave. Young women experience self-esteem issues. And in general for the youth we work with, racialization and living as a racialized young person contributes to vulnerability and insecurity. This is where organizations such as ours, the South Asian Women’s Community Centre need support in the work we do with

families and communities. And for the outreach work we do with youth in schools, where we create safe environments for youth to express themselves, where through workshops, writing and poetry they find outlets for work on issues that affect them; where our Youth Program worker builds relationships of trust with young people who could approach her if they wish for assistance with information, resources and for support. The government needs to provide funds for much more such grassroots work. Young people need safe spaces to explore issues of identity and talk about challenges they face and learn from and get support from peers.

They need to have more counsellors in schools who can help them navigate the stresses and strains of contemporary life where youth are exhibiting greater anxiety, where youth suicide (or attempted suicide is on the rise) where mental health issues are becoming more evident. Counsellors in schools and colleges are overwhelmed. We need more of them and the government must increase funding to make this happen. All around us we find that people working in these areas are overworked and suffering from burn-out. This is a crisis that must be addressed if we are to protect our minors from exploitation.

Minors need to have people they can trust who they can speak with; with whom they can share their suspicions of individuals they see as harmful; they need to be with adults who will hear what they say and accept them as credible; they should not feel ashamed or judged to share experiences in which they felt humiliated or exploited, (and we know feelings of shame caused by a sense that one has brought something unpleasant on oneself through actions, words, etc. is often the case with victims of various types of exploitation and so they won't speak about this).

We cannot forget that the political climate contributes to the insecurity and precarity youth experience. For example, government policies of exclusion such as Bill 21 enhance anxiety and make racialized young people feel like outsiders. They need to see themselves reflected in persons of authority who they can trust will understand where they are coming from and what they may need.

To summarize what we have said above, from our experience, youth need education and support. Families with youth need support. Vulnerabilities for youth are caused by many factors. Socio-economic factors may make life situations difficult for youth. Identity issues and racism, coming to terms with sexual and gender orientation are just some of the factors that youth face contributing to personal vulnerabilities and insecurities. We need to expand our understanding beyond "sexual exploitation" and look instead at the needs and experiences of youth.

From our experience and observation what are needed are preventive measures that reduce vulnerability and precarity. Minors need to feel safe and protected. They need to be equipped

with tools to detect and avoid potential exploitation. We believe to protect minors from exploitation we need to strengthen and enhance support for families and programs that promote self-confidence. To conclude we need a multi-pronged approach to keep minors safe from exploitation.

Presented in Montreal on 21st January 2020

ⁱ Intersectionality -- the interconnected nature of social categorizations such as race, class, and gender as they apply to a given individual or group, regarded as creating overlapping and interdependent systems of discrimination or disadvantage.

ⁱⁱ Equity -- the quality of being fair and impartial; recognition that fairness must be based on the premise that not everyone is completely regarded as equal position because of various factors, and therefore there is a need to ensure recognition of this difference while striving for equality; justice achieved not simply according to the strict letter of the law but in accordance with principles of substantial justice and the unique facts of the case. E.g. pay 'equity' which is not simply 'equal pay for equal work' but 'equal pay for work of equal value'. To illustrate this, school teaching and nursing, are areas that have been historically underpaid due to the fact that most workers in these areas were women, and being underpaid had little to do with the amount and quality of work. So salary revision schemes would look at how gendered work has fed into unequal pay and pay equity seeks to ensure fairness when comparing 'apples' to 'oranges'.