

Juristat Bulletin—Quick Fact

Trafficking in persons in Canada, 2019

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Trafficking in persons in Canada, 2019

by Dyna Ibrahim, Canadian Centre for Justice and Community Safety Statistics

Trafficking in persons, also known as human trafficking, involves recruiting, transporting, transferring, receiving, holding, concealing or harbouring a person, or exercising control, direction or influence over the movements of a person, for the purpose of exploiting them or facilitating their exploitation (*Criminal Code* 1985). There are various forms of human trafficking, including trafficking for forced labour, for the purpose of exploitative begging or for organ removal; however, trafficking for sexual exploitation is the most detected (UNODC 2018).

Canada has continued its efforts to combat human trafficking. Most notably, in 2019, as part of the *National Strategy to Combat Human Trafficking*, Canada's national human trafficking hotline was launched to help victims and survivors of all forms of human trafficking access services and the supports they need (Text box 2). Data collected through the hotline will help in identifying gaps in services for victims and survivors, as well as assist in developing better law enforcement intelligence to target human trafficking (Public Safety Canada 2019).

Published human trafficking statistics from the Canadian Centre for Justice and Community Safety Statistics at Statistics Canada are based on data from the Uniform Crime Reporting (UCR) Survey which include only incidents that have been detected and reported to the police. Through the UCR Survey, Statistics Canada collects detailed information about human trafficking incidents which are captured through *Criminal Code* human trafficking offences or through a cross-border trafficking offence under the *Immigration and Refugee Protection Act* (Text box 1). However, the hidden nature of this crime makes it difficult to detect and, as such, these data present an underestimation of its true magnitude.

This *Juristat Bulletin—Quick Fact* examines human trafficking incidents that were reported by police in 2019, and compares them to previous years in relation to the overall rate and the characteristics of the incidents, and discusses victims and accused persons.¹ The current article also uses data from the Integrated Criminal Court Survey to examine outcomes of court cases involving human trafficking offences.

Text box 1

The criminal offence of trafficking in persons

In 2005, a number of trafficking-specific offences were added to the *Criminal Code*:

- Section 279.01: trafficking in persons
- Section 279.02: receiving a material benefit from trafficking in persons
- Section 279.03: withholding or destroying documents to facilitate trafficking in persons
- Section 279.04: includes a specific definition of “exploitation” for the purpose of human trafficking offences

In 2010, a specific offence prohibiting trafficking in persons under 18 years of age was added to the *Criminal Code* (Section 279.011).

In 2012, an amendment was made to the *Criminal Code* to: allow for the prosecution of Canadians and permanent residents of Canada for human trafficking offences committed abroad; and, add a provision that assists courts in interpreting the meaning of exploitation for the purposes of the trafficking offences.

In 2014, new offences were added:

- Subsection 279.02(2): receiving a material benefit from trafficking of persons under 18 years
- Subsection 279.03(2): withholding or destroying documents to facilitate trafficking of persons under 18 years

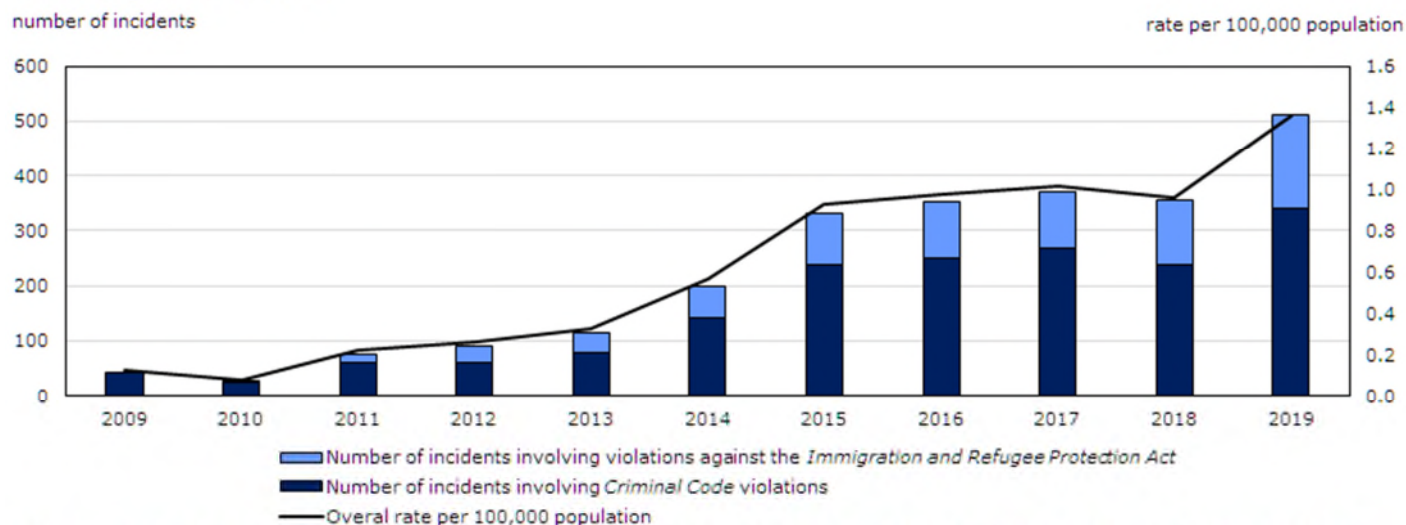
Mandatory minimum penalties were also imposed on all child trafficking offences, as well as the main trafficking offence (section 279.01) in 2014.

In addition to the *Criminal Code* offences listed above, section 118 of the *Immigration and Refugee Protection Act* makes cross-border human trafficking a criminal offence.

Police-reported incidents of human trafficking increase

In 2019, police reported 511 human trafficking incidents, representing a rate of 1.4 incidents per 100,000 population—the highest number and rate reported since comparable data became available in 2009 (Chart 1).² Human trafficking represented 0.02% of all police-reported incidents in 2019.

Chart 1
Annual counts and rates of police-reported human trafficking incidents in Canada, by type of violation, 2009 to 2019



Note: This analysis is based on aggregate data, and counts are based on the most serious violation in a criminal incident. Rates are calculated on the basis of 100,000 population. Populations are based upon July 1st estimates from Statistics Canada, Centre for Demography. The Uniform Crime Reporting Survey was amended partway through 2011 to allow police services to report the specific offence of human trafficking under the *Immigration and Refugee Protection Act*. Once the specific violation code was introduced, a small number of incidents which took place prior to this date were reported.

Source: Statistics Canada, Canadian Centre for Justice and Community Safety Statistics, Uniform Crime Reporting Survey.

Overall, both the number and rate of police-reported human trafficking incidents have been generally trending upward. The number of human trafficking incidents reported in 2019 marked a 44% increase from the previous year. This follows a slight decline in 2018, the only year-over-year decline reported since 2010. In total, from 2009 to 2019, there were 2,468 police-reported incidents in Canada where human trafficking was the most serious violation related to the incident.³ The average annual rate over the 11-year period was 0.62 incidents per 100,000 population.⁴

Similar to previous years, two out of three (67% or 341 incidents) human trafficking incidents reported by police in 2019 were *Criminal Code* violations, and a third (33% or 170 incidents) were violations against the *Immigration and Refugee Protection Act* (IRPA). The number of incidents for each statute violation increased by 43% and 45%, respectively, between 2018 and 2019.

It is important to note that while increases in the number of incidents reported in recent years may be indicative of an increase in the occurrence of this crime in Canada, various factors may contribute to this increase, including strengthened efforts to combat this crime such as improved law enforcement capacities and victim protection efforts (UNODC 2018). For example, in addition to the Canadian Human Trafficking Hotline, the *National Strategy to Combat Human Trafficking* outlines a number of federal initiatives to be implemented in an effort to address this crime. These include increasing supports and services to protect and rehabilitate victims and survivors, increasing awareness among the general public and front line workers in key sectors, increasing intelligence and data collection capacity, and supporting law enforcement and the criminal justice system (Public Safety Canada 2019). These continued efforts may contribute to more willingness from victims and members of the public to report incidents, and improved detection by law enforcement.

Text box 2
The Canadian Human Trafficking Hotline

The Canadian Human Trafficking Hotline was launched in May 2019. Operated by the Canadian Centre to End Human Trafficking, the Hotline is a 24/7 toll-free line that provides multilingual referral services and supports to victims and survivors of human trafficking. It receives calls, emails and texts about potential human trafficking in Canada and refers victims to local law enforcement, shelters and a range of other trauma-informed supports and services.

During the first year of the Hotline’s operations (from May 29, 2019 to May 28, 2020), there were 2,390 substantive signals to the Hotline, including hotline calls, emails, web chats and web forms (Drydyk 2021). Based on the information shared through these signals, the Hotline identified 415 cases of human trafficking. A case refers to a unique situation that triggered a signal to the Hotline. In total, 593 victims and survivors were reported in relation to these cases.

The Canadian Human Trafficking Hotline can be reached at 1-833-900-1010 or accessed online at: www.canadianhumantraffickinghotline.ca.

Ontario reports highest number of police-reported human trafficking incidents; Nova Scotia reports highest rate

Over the last decade, Ontario and Nova Scotia have been overrepresented in the number of police-reported incidents of human trafficking in Canada (Cotter 2020). For instance, while Ontario represented 29% of all violent crime reported in Canada in 2019, the province accounted for the majority (62%) of Canada's human trafficking incidents that year (316 incidents) (Table 1). Ontario's number of human trafficking incidents represented a rate of 2.2 incidents per 100,000 population, almost double the national rate for this crime (1.4 per 100,000). Nova Scotia, which accounted for 3% of all violent crime reported nationally in 2019, had 51 human trafficking incidents—accounting for 10% of the human trafficking incidents reported. At a rate of 5.3 incidents per 100,000 population, Nova Scotia had the highest rate of police-reported human trafficking incidents in Canada that year and the highest rate reported by the province since 2009.

Both of these named provinces reported more incidents in 2019 than the previous year: Ontario reported 60 more incidents than in 2018, while Nova Scotia reported an additional 34. In total, Ontario accounted for 66% of all human trafficking incidents reported between 2009 and 2019 and Nova Scotia accounted for 6%.

Of the 170 cross-border *Immigration and Refugee Protection Act* violations reported in Canada in 2019, the vast majority (76%) were reported in Ontario—making up 41% of the human trafficking incidents reported in the province. About one-tenth (9%) of the violations were reported in Nova Scotia, and accounted for 29% of Nova Scotia's number of police-reported human trafficking incidents.

It is worth noting that differences in the number of human trafficking incidents reported among these provinces may be impacted by different programs and policies enacted to combat this crime locally. Additionally, police enforcement and reporting practices, for example, due to detection techniques used and training may differ across provinces and territories which could also contribute to differences in the number of incidents reported. Further, the level of activity at international cross-border points may be a factor in the prevalence of IRPA incidents being reported in some areas, for example busy airports, land borders or sea ports.

It is important to also note that victims may not originate from the location in which incidents are detected. Some victims may have been moved from one jurisdiction and exploited in another. In a recent research project looking at human trafficking corridors in Canada conducted by the Canadian Centre to End Human Trafficking, almost half (45%) of law enforcement participants indicated working with survivors originating from a different province (CCTEHT 2021).

Majority of human trafficking incidents detected in larger cities

Human trafficking incidents are most often reported by police in urban centres (Cotter 2020). Consistent with this finding, in total, 85% of human trafficking incidents reported in Canada in 2019 were in large cities with populations of 100,000 or more (Table 2).⁵ The prevalence of human trafficking incidents in large cities may be partly attributable to a higher demand for sexual services in these areas. For instance, some research suggests that where there is demand for sexual services there is sexual exploitation (Christmas 2017; Hughes 2005). And it has been found that the vast majority of sex trade offences in Canada are reported in large cities (Rotenberg 2016).⁶

About one in five (17%) human trafficking incidents reported in 2019 were in the census metropolitan area (CMA) of Toronto, and 9% were reported in Halifax. These were followed by Montréal (7%), Ottawa (7%) and St. Catharines-Niagara (6%).

When the population size of these cities are taken into account, Halifax reported a rate of 10.2 human trafficking incidents per 100,000 population in 2019, significantly higher than the national census metropolitan area (CMA) rate (1.6 per 100,000). Ottawa (3.2) and St. Catharines-Niagara (6.5) also reported rates in 2019 that were higher than the national CMA rate, whereas Toronto (1.5) and Montréal (0.9) reported rates below the national CMA level for the year.

While almost all of the human trafficking incidents reported in the CMAs of Montréal and Ottawa were *Criminal Code* violations, IRPA violations made up larger proportions of the incidents reported in the remaining cities mentioned. Most (77% or 24) of the incidents reported in St. Catharines-Niagara were IRPA human trafficking offences, while this was the case for 53% and 33% of the incidents reported in Toronto and Halifax, respectively. In total, IRPA violations reported in these three cities accounted for 60% of all IRPA violations reported in CMAs, and 19% of all human trafficking incidents reported in CMAs in 2019.

As previously noted, geographical differences in the number of incidents reported may in part be influenced by the detection techniques and training used in different police jurisdictions. It is also worth noting that although an incident may have been reported in a particular city or location, the victims may have originated from other parts of the country. For example, traffickers may target individuals from northern or remote communities (MMIWG 2019). In a recently published article that included qualitative interviews with service providers and law enforcement, it was reported that only about a quarter

(between 25% and 27%) of participants indicated working with people who were trafficked locally; most victims were from other cities within the same province or elsewhere (CCTEHT 2021).

About one in three human trafficking incidents involve another crime

Most human trafficking incidents did not involve other criminal violations.⁷ More specifically, in about two-thirds (65%) of police-reported human trafficking incidents, human trafficking was the only violation related to the incident, and the remaining 35% involved other crimes.⁸ For the vast majority (89%) of the incidents involving at least one other criminal violation, human trafficking was reported as the most serious violation in the incident.⁹

It has been noted that police-reported human trafficking incidents often involve an offence related to the sex trade, assault or sexual offences (Cotter 2020). Consistent with this trend, in 2019, incidents involving multiple violations where human trafficking was the most serious violation most often involved a sex-trade-related offence (60%).¹⁰ Said otherwise, overall, one in five (20%) human trafficking-related incidents reported in 2019 also involved a sex trade offence.¹¹ This is in line with recent trends which further highlight the interconnected nature of these crimes (Allen and Rotenberg 2020; Rotenberg 2016).

Assault and sexual violations each accounted for 31% of the secondary violations reported in human trafficking incidents—where human trafficking was the most serious violation.¹²

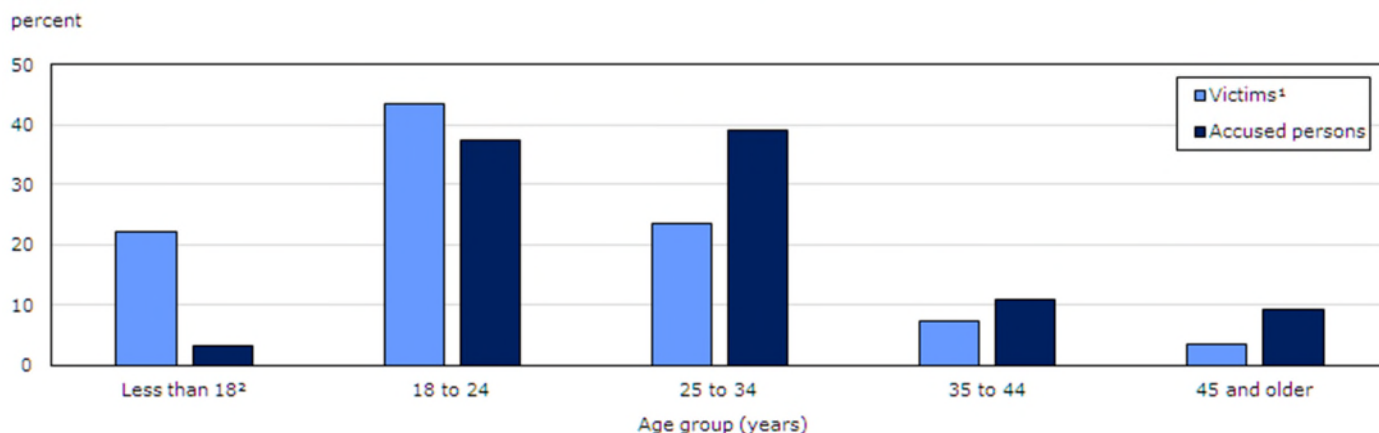
Two out of three human trafficking victims are girls and young women

While people of all ages and genders can fall victim to human trafficking, research to date shows that girls and women make up the majority of detected victims of human trafficking, particularly for the purposes of sexual exploitation (Cotter 2020; Hepburn and Simon 2010; UNODC 2018).

According to police-reported data from 2019, there were a total of 365 victims in incidents involving *Criminal Code* human trafficking violations; 336 (or 92%) were victims of incidents where human trafficking was the only or the most serious violation in the incident, and there were a further 29 victims in incidents where human trafficking was a secondary violation in the incident.^{13, 14}

The vast majority (95%) of human trafficking victims were girls and women, and overall, most (89%) victims were below the age of 35 (Chart 2).^{15, 16} More than one in five (21%) victims were girls below the age of 18, and 43% of victims were young women aged 18 to 24. Just over one-fifth (22%) of victims were women aged 25 to 34.

Chart 2
Victims and accused persons in police-reported human trafficking incidents, by age group, Canada, 2019



1. Analysis of victim information is based on *Criminal Code* human trafficking incidents only, where human trafficking was the only or the most serious violation in the incident.

2. For accused persons, this age group includes persons between the ages of 12 to 17 only. Children under 12 years of age cannot be prosecuted for criminal activities.

Note: Police services can report up to four violations for each incident. Calculations for accused persons are based on incidents where human trafficking was any violation in the incident. Victims and accused persons aged 90 years and older are excluded from analyses due to possible instances of miscoding of unknown age within this age category. Excludes persons where the gender or the age was unknown. Given that small counts of victims and accused persons identified as "gender diverse" may exist, the aggregate Uniform Crime Reporting Survey data available to the public has been recoded to assign these counts to either "male" or "female", in order to ensure the protection of confidentiality and privacy. Victims and accused persons identified as gender diverse have been assigned to either male or female based on the regional distribution of victims' or accused persons' gender.

Source: Statistics Canada, Canadian Centre for Justice and Community Safety Statistics, Uniform Crime Reporting Survey.

Most victims trafficked by someone they know

Consistent with previous years, most human trafficking victims knew their trafficker (Cotter 2020). In 2019, few victims (11%) were trafficked by a stranger. Instead, for 29% of victims, the accused was a friend or an acquaintance and for 25% it was a current or former boyfriend or girlfriend. About one in five victims had a criminal (10%) or business relationship (9%) with the accused.¹⁷

Human trafficking victims often suffer physical, sexual, financial, emotional and psychological abuse while being trafficked, and recovery from the impact of the trauma associated with being trafficked can take a significant amount of time (Oram et al. 2016; Public Safety Canada 2019). Although the UCR Survey does not collect information on the various forms of abuse suffered by victims, information on the extent of physical injuries experienced by victims are reported to the survey.

Among human trafficking victims for whom physical injury information was known, about one in three (32%) were reported to have suffered some level of physical injury at the time of the incident.¹⁸ This finding was similar to data reported over the previous decade (Cotter 2020).

Men between the ages of 18 and 34 make up two-thirds of people accused

While girls and women are often the victims of human trafficking, men have represented the majority of individuals accused in human trafficking incidents between 2009 and 2018 (Cotter 2020). Consistent with this trend, in 2019, the large majority (83%) of accused individuals in human trafficking-related incidents were men.¹⁹ Specifically, about two-thirds (65%) of all accused individuals were men between the ages of 18 and 34 years.

Although women represented a lower proportion (17%) of people accused in human trafficking-related incidents, similar to accused men, women accused in these incidents were often between the ages of 18 and 24 (8%) or 25 and 34 (4%).

As seen in past years, youth below the age of 18 represented a small minority (3%) of people accused in human trafficking incidents in 2019. Of note, youth accused of a human trafficking offence in the last decade often had an adult co-accused (Cotter 2020).

One in three human trafficking incidents cleared by charge

Police-reported incidents that have been solved are considered “cleared”, meaning police identified an accused person in relation to the incident, and had enough information to lay or recommend a charge against them.²⁰ Cleared incidents are categorized as either “cleared by charge”—that is, police have charged or recommended a charge against the identified individual, or “cleared otherwise” which means police had enough information to lay or recommend a charge against the identified individual, but they did not for a specific reason.²¹ Incidents that have not been solved are considered “not cleared.”²²

Overall, in 2019, about one in three (34%) police-reported human trafficking incidents were cleared by charge and a minority of incidents (3%) were cleared otherwise.²³ The remaining 62% of incidents were not cleared (Text box 3). These findings were consistent with previous years (Cotter 2020).

Previously published data showed that incidents involving *Criminal Code* human trafficking violations were more likely than *Immigration and Refugee Protection Act* violation incidents to be cleared, and to lead to charges being laid or recommended (Cotter 2020). Similarly, half (50%) of 2019 incidents of *Criminal Code* human trafficking violations were cleared, and the vast majority (93%) of these incidents were cleared by the laying or recommendation of a charge. In comparison, 15% of IRPA human trafficking incidents were cleared, among which 80% were cleared by charge.

Text box 3**Changes in the classification of founded incidents in the Uniform Crime Reporting Survey**

In 2018, the Uniform Crime Reporting Survey introduced new ways of reporting founded incidents that were not cleared (or solved) to give room for more specificity in reasons for not clearing an incident, to reflect a more victim-centred approach to recording crimes that accounts for the complexities of certain offences. New categories were added to the clearance status of an incident including the categories: open or still under investigation, insufficient evidence to proceed, and victim or complainant declines to proceed—and therefore an accused person cannot be identified.

Nearly two-thirds (62%) of human trafficking incidents reported in 2019 were not cleared: About one in five (19%) incidents were considered still open or under investigation, while 26% were classified as having insufficient evidence to proceed.²⁴

At the end of 2019, some police services had not yet transitioned to the new reporting standards. As such, about 10% of human trafficking incidents reported were categorized as being not cleared, but without the specificity of the new categories to indicate the reason.

For more information on the new reporting standards, see Canadian Centre for Justice Statistics 2018.

Human trafficking cases in adult courts

Similar to trends in police-reported data, Canadian adult criminal courts have generally been processing more human trafficking cases since the addition of human trafficking offences into the *Criminal Code* in 2005 (Cotter 2020).^{25, 26} However, while police-reported data show that human trafficking is often the most serious violation in incidents which involve a human trafficking violation and at least one other violation, court data reflect a different pattern with regard to human trafficking-related court cases, where human trafficking is less often the most serious offence in the case.

Human trafficking most serious offence in less than half of human trafficking-related court cases processed in 2018/2019

Whereas the most serious violation in police-reported incidents are generally defined by the maximum penalty associated with each violation within an incident, the most serious offence in court cases are mainly defined by the decisions reached for each charge within a case.²⁷ According to the Integrated Criminal Court Survey, in 2018/2019, there were 104 completed cases processed in adult criminal courts in Canada where there was at least one charge of a human trafficking offence.²⁸ In total, these cases involved 1,850 charges, of which 19% (or 356 charges) were human trafficking. On average, a human trafficking-related case involved 18 charges, compared with an average of 4 charges per case for all violent offence cases overall.

Less than half of the cases processed that year (47% or 49 cases) involved human trafficking as the most serious offence in the case—a proportion higher than the average of cases processed over the last decade. In total, from 2008/2009 to 2018/2019 adult criminal courts in Canada processed 697 completed court cases involving a human trafficking charge and in 32% of these cases, human trafficking was the most serious offence.

In over half (53% or 55 cases) of human trafficking-related court cases processed in 2018/2019, human trafficking was not the most serious offence in the case. Instead, these cases most commonly involved a sex-trade-related offence (29% or 16 cases) or another deprivation of freedom offence such as hostage taking, kidnapping or forcible confinement (24% or 13 cases) as the most serious offence in the case.²⁹ This was consistent with police-reported data and trends from previous years' court data (Cotter 2020).

Most human trafficking court charges stayed, withdrawn, dismissed or discharged

The large majority (75%) of completed human trafficking-related court cases processed in 2018/2019 involved more than one human trafficking charge in the case. Overall, the 104 human trafficking-related cases involved 356 human trafficking charges, either as the most serious offence (14%) or as a related charge in the case (86%). When examining court decisions by charge, overall, the vast majority (89%) of human trafficking charges were stayed, withdrawn, dismissed or discharged.³⁰ Less than one in ten (7%) charges resulted in a guilty finding. In comparison, 31% of all violent offence charges completed the same year resulted in a finding of guilt.³¹

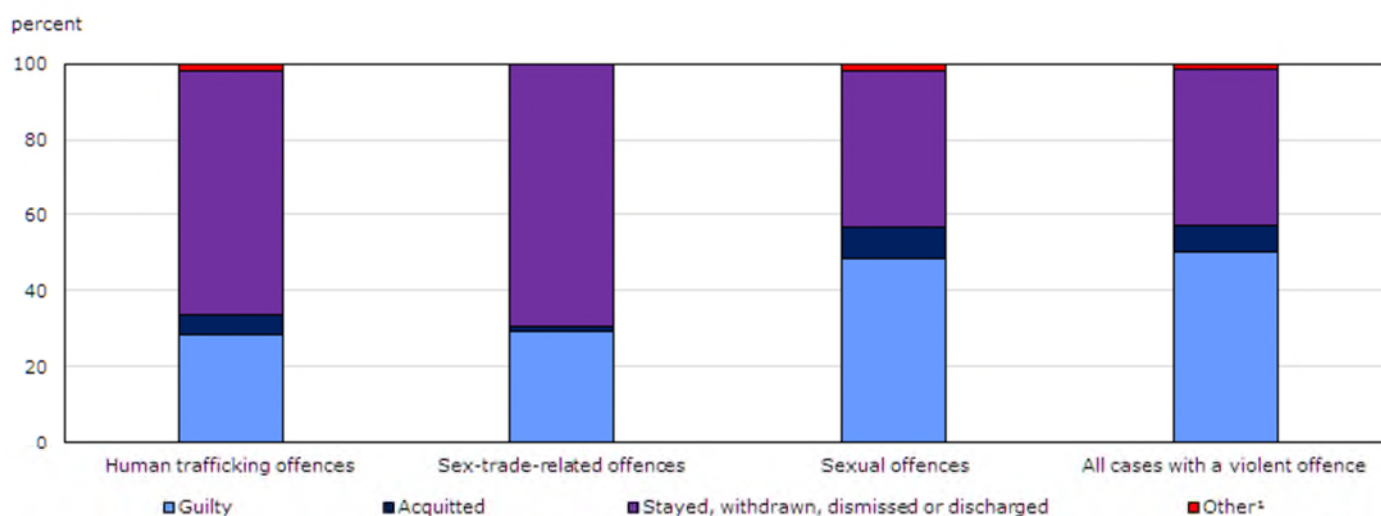
At the case level, court decisions on completed human trafficking cases remained consistent with what has been seen in previous years. About seven in ten (71% or 35 cases) human trafficking court cases processed in 2018/2019 (where human

trafficking was the most serious offence in the case) resulted in a decision of stayed, withdrawn, dismissed or discharged. About three in ten (29% or 14 cases) of the cases resulted in a finding of guilt.

In comparison to cases where human trafficking was the most serious offence, cases involving human trafficking but as a related charge in a case were less likely to be stayed, withdrawn, dismissed or discharged. Specifically, among the 55 cases processed in 2018/2019 involving human trafficking but not as the most serious offence, 35% (or 19 cases) were stayed, withdrawn, dismissed or discharged. Instead, nearly two-thirds (65% or 36 cases) of the cases were represented by an offence that resulted in a finding of guilt.

Decisions in human trafficking cases followed similar patterns to cases involving sex-trade-related offences, for example in terms of proportions of cases resulting in a guilty finding. However, they did not align with other types of violent criminal offences. For example, human trafficking cases processed between 2008/2009 and 2018/2019 (where it was the most serious offence in the case) were significantly less likely to result in a finding of guilt compared with violent crime cases overall (28% versus 50%) (Chart 3).

Chart 3
Types of decision in completed adult criminal court cases, by most serious offence, 2008/2009 to 2018/2019



1. Other decisions include final decisions of found not criminally responsible and waived out of province or territory. This category also includes any order where a guilty decision was not recorded, the court's acceptance of a special plea, cases which raise Charter arguments and cases where the accused was found unfit to stand trial.

Note: Data are based on the adult criminal court portion of the survey, namely, individuals who were 18 years of age or older at the time of the offence. A decision is a judgment made by the court. A completed case is one or more charges against an accused person or company, which were processed by the courts at the same time, and received a final decision. A case is not deemed complete until all charges in that case are disposed of (i.e., have received a final decision). Calculations presented are based on most serious offence in a case.

Source: Statistics Canada, Canadian Centre for Justice and Community Safety Statistics, Integrated Criminal Court Survey.

These patterns were consistent with the overall trends from the previous decade: in total, 64% of human trafficking cases processed in adult criminal courts between 2008/2009 and 2018/2019 (where it was the most serious offence in the case) were stayed, withdrawn, dismissed or discharged and 28% resulted in a guilty finding. While no human trafficking cases processed in 2018/2019 resulted in acquittals or other types of decisions, acquittals and other types of decisions generally represented a small minority (7%) of the decisions made in human trafficking cases over the last decade.^{32, 33}

Research to date has indicated that there are many challenges to prosecuting human trafficking cases including an inability to rely on victim testimony as victims are often reluctant or afraid to take action against their traffickers and as such it can be difficult to prove guilt (Farrell et al. 2012; Kaye et al. 2014; Reid 2010; Sethi 2007). As a result, prosecutors may withdraw human trafficking charges in exchange for an accused pleading guilty to a lesser offence (Perrin 2010). Additionally, as shown above, human trafficking-related cases generally included significantly more charges than the overall average for cases involving violent offences. Moreover, in a recent report, Cotter (2020) found that these cases also took twice the amount of time to complete, both are characteristics which may also contribute to prosecutors' decisions not to proceed with human trafficking charges. Accordingly, nearly half of court cases linked to police-reported incidents of human trafficking did not involve a charge of human trafficking (Cotter 2020).

For 13 of the 14 completed human trafficking cases processed in 2018/2019 where there was a finding of guilt, the perpetrator was sentenced to custody.³⁴ Overall, in the large majority (80%) of completed human trafficking cases between 2008/2009 and 2018/2019, the perpetrator was sentenced to custody and in 14% they received probation.

Summary

The number of police-reported human trafficking incidents continued on an upward trend reaching 511 incidents in 2019 and rounding off the 11-year total at over 2,400 incidents reported since comparable data became available. At a rate of 1.4 police-reported incidents per 100,000 population, 2019 marked the highest rate recorded for this crime in Canada. About two-thirds of the reported incidents were violations against *Criminal Code* human trafficking offences, while violations against the *Immigration and Refugee Protection Act* human trafficking offence accounted for about one-third of incidents.

Police-reported data identified 336 human trafficking victims in 2019 of whom the vast majority were women and girls. Conversely, men were most often the perpetrator in reported human trafficking incidents—though just under one-fifth of accused individuals were women. More often than not, human trafficking victims knew their trafficker.

The trend in the growing number of reported incidents may be an indication of the efforts put forth by various parties that strive to combat this crime in Canada. Similar to police-reported data, the number of completed cases processed in adult criminal courts have been on an upward trend. Nevertheless, challenges in prosecuting human trafficking cases remain prevalent. In 2018/2019, the majority of human trafficking charges (89%) were stayed, withdrawn, dismissed or discharged. Human trafficking cases often involve multiple charges which can be multiple human trafficking charges or in combination with other charges. From 2008/2009 to 2018/2019 there were a total of 697 completed cases processed in Canadian adult criminal courts with at least one human trafficking charge, and in about a third (32%) of the cases human trafficking was the most serious offence in the case. Among these cases, about two-thirds resulted in criminal proceedings being stopped with a decision of stayed, withdrawn, dismissed or discharged. A finding of guilt in these cases was less common when compared with the overall average of cases involving violent offences.

Survey description

Uniform Crime Reporting Survey

The Uniform Crime Reporting (UCR) Survey measures criminal incidents that have been reported to federal, provincial/territorial and municipal police services in Canada.

Coverage of the UCR aggregate data reflects virtually 100% of the total caseload for all police services in Canada. One incident can involve multiple offences. In order to ensure comparability, counts from the UCR aggregate survey presented in this article are based on the most serious offence in the incident.

Incident-based Uniform Crime Reporting Survey

The Incident-based Uniform Crime Reporting (UCR) Survey collects detailed information on criminal incidents that have come to the attention of, and have been substantiated by, police services in Canada. Information includes characteristics of victims, accused persons and incidents. In 2019, data from police services covered 99% of the population of Canada. The count for a particular year represents incidents reported during that year, regardless of when the incident actually occurred.

One incident can involve multiple offences. In order to ensure comparability, counts are presented based on the most serious offence in the incident as determined by a standard classification rule used by all police services. Counts based on all violations are available upon request.

Integrated Criminal Court Survey

The Integrated Criminal Court Survey (ICCS) collects statistical information on adult and youth court cases involving *Criminal Code* and other federal statute offences.

All adult courts have reported to the adult component of the survey since the 2006/2007 fiscal year. Information from superior courts in Ontario, Manitoba and Saskatchewan as well as municipal courts in Quebec was not available for extraction from their electronic reporting systems and was therefore not reported to the survey. Superior court information for Prince Edward Island was unavailable until 2018/2019.

The primary unit of analysis is a case. A case is defined as one or more charges against an accused person or company that were processed by the courts at the same time and received a final decision. A case combines all charges against the same person having one or more key overlapping dates (date of offence, date of initiation, date of first appearance, date of decision, or date of sentencing) into a single case.

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Notes

1. An article examining trends in police-reported human trafficking incidents from the past decade (2009 to 2018) was recently published. See Cotter 2020.
2. This analysis is based on aggregate data, and counts are based on the most serious violation in a criminal incident. Coverage of the Uniform Crime Reporting Survey aggregate data reflects virtually 100% of the total caseload for all police services in Canada.
3. Police services can report up to four violations for each incident. However, to allow for better historical comparisons and comparisons among police services, unless otherwise specified, analyses are based on the most serious violation in a criminal incident.
4. This rate is the average of the annual rates from 2009 to 2019.
5. In this article, large cities refer to census metropolitan areas (CMAs). A CMA is formed by one or more adjacent municipalities centred on a population centre (known as the core). A CMA must have a total population of at least 100,000, of

which 50,000 or more must live in its core. To be included in the CMA, other adjacent municipalities must have a high degree of integration with the core, as measured by commuting flows derived from previous census data on place of work.

6. In this article, sex-trade-related offences include offences related to purchasing sexual services, procuring and receiving material benefits from another's sexual services, and advertising sexual services, which are violent *Criminal Code* offences, as well as the non-violent *Criminal Code* sex trade offences related to stopping or impeding traffic, or communicating for the purposes of offering or obtaining sexual services. For more information on these offences and on the 2014 legislation related to the sex trade, see Allen and Rotenberg 2021.

7. Unless otherwise specified, the remainder of this article uses the microdata file of the Incident-based Uniform Crime Reporting Survey in order to provide more detailed analysis of incident, victim and accused characteristics. This file contains data collected from police services covering 99% of the Canadian population.

8. Police services can report up to four violations for each incident. However, the reporting of secondary violations is not mandatory and therefore, information presented on secondary violations may be under-represented.

9. Violations against the *Criminal Code* human trafficking offences accounted for 85% while 4% were *Immigration and Refugee Protection Act* violations. In the remainder of the incidents, human trafficking was reported as a secondary violation.

10. In this article, sex-trade-related offences include offences related to purchasing sexual services, procuring and receiving material benefits from another's sexual services, and advertising sexual services which are violent *Criminal Code* offences, as well as the non-violent *Criminal Code* sex trade offences related to stopping or impeding traffic, or communicating for the purposes of offering or obtaining sexual services. For more information on these offences and on the 2014 legislation related to the sex trade, see Allen and Rotenberg 2021.

11. Most sex-trade-related offences reported in human trafficking police-reported incidents were procuring offences (76%).

12. Police services can report up to four violations for each incident. Therefore, totals do not add up to 100%.

13. No victim information is captured for the human trafficking violation under the *Immigration and Refugee Protection Act*. As a result, there are more incidents of human trafficking than victims.

14. Victims refer to those aged 89 years and younger. Victims aged 90 years and older are excluded from analyses due to possible instances of miscoding of unknown age within this age category. Excludes victims where the gender or the age was unknown.

15. Unless otherwise specified, analysis of victim information is based on *Criminal Code* human trafficking incidents only, where human trafficking was the only or the most serious violation in the incident.

16. Given that small counts of victims and accused persons identified as "gender diverse" may exist, the aggregate Uniform Crime Reporting Survey data available to the public has been recoded to assign these counts to either "male" or "female", in order to ensure the protection of confidentiality and privacy. Victims and accused persons identified as gender diverse have been assigned to either male or female based on the regional distribution of victims' or accused persons' gender.

17. In the Uniform Crime Reporting Survey, a criminal relationship is defined as one that is based on an illegal activity.

18. Information on extent of injury are based on data captured at the time of the incident, or determined through investigation. For 32% of victims, the extent of injuries to the victim was not known.

19. Accused refers to those aged 12 to 89 years. Children under 12 years of age cannot be prosecuted for criminal activities. Accused aged 90 years and older are excluded from analyses due to possible instances of miscoding of unknown age within this age category. Excludes accused where the gender or the age was unknown.

20. Depending on jurisdiction, police can either lay charges against an accused or recommend that the Crown lay charges. In New Brunswick, Quebec and British Columbia, all charges are recommended to the Crown for approval, while in other jurisdictions Crown charge approval may only be required dependent on the type of offence.

21. There are various reasons for which an incident can be cleared otherwise. Examples include death or suicide of the accused, diplomatic immunity and the accused is already serving a sentence.

22. For more information on the clearance status of incidents, see Canadian Centre for Justice Statistics 2018.

23. Calculations based on the most serious violation in the incident.

24. Based on data from the microdata file of the Incident-based Uniform Crime Reporting Survey which covers 99% of the Canadian population. Calculations are based on the most serious violation in the incident.

25. Statistics Canada's Integrated Criminal Court Survey (ICCS) collects data on charges and cases in adult criminal and youth courts. The ICCS collects information on charges involving human trafficking offences against the *Criminal Code* and the *Immigration and Refugee Protection Act* (IRPA). However, due to inconsistencies in the reporting of court information related to human trafficking violations against the IRPA, court data presented in this article includes human trafficking charges under the *Criminal Code* only.

26. The current analysis focuses on human trafficking cases that are processed in adult courts. However, it is worth noting that between 2008/2009 and 2018/2019, youth courts in Canada processed a total of 46 completed cases involving 95 human trafficking charges. Of these cases, 20 (or 43%) involved human trafficking as the most serious offence in the case.
27. A case that has more than one charge is represented by the charge with the "most serious offence" (MSO). The MSO is selected using the following rules. First, court decisions are considered and the charge with the "most serious decision" (MSD) is selected. Court decisions for each charge in a case are ranked from most to least serious as follows: (1) guilty, (2) guilty of a lesser offence, (3) acquitted, (4) stay of proceeding, (5) withdrawn, dismissed or discharged, (6) not criminally responsible, (7) other, and (8) transfer of court jurisdiction. Second, in cases where two or more charges result in the same MSD (for example, guilty), *Criminal Code* sanctions are considered. The charge with the most serious offence type is selected according to an offence seriousness scale, based on actual sentences handed down by courts in Canada.
28. A completed case is one or more charges against an accused person or company, which were processed by the courts at the same time, and received a final decision. A case is not deemed complete until all charges in that case are disposed of (i.e., have received a final decision).
29. For more information on changes in how sex-trade-related cases (whether involving human trafficking or not) have been processed in Canadian courts in recent years, see Allen and Rotenberg 2021.
30. Includes decisions made at preliminary inquiries as well as court referrals to alternative or extrajudicial measures and restorative justice programs. These decisions all refer to the court stopping criminal proceedings against the accused.
31. Guilty findings include a finding of guilt imposed by the court, as well as guilty pleas, and cases where an absolute or conditional discharge has been imposed.
32. Totals may not add up to 100% due to rounding.
33. Other types of decisions include final decisions of found not criminally responsible and waived out of province or territory. This category also includes any order where a guilty decision was not recorded, the court's acceptance of a special plea, cases which raise Charter arguments and cases where the accused was found unfit to stand trial.
34. Sentencing information presented are based on the most serious sentence in the case.

Detailed data tables

Table 1
Police-reported human trafficking incidents, by province or territory, 2009 to 2019

Province or territory	Human trafficking incidents reported in 2019 only				Total human trafficking incidents reported (2009 to 2019)			
	Criminal Code	Immigration and Refugee Protection Act	Total	rate	Criminal Code	Immigration and Refugee Protection Act	Total	average annual rate ¹
Newfoundland and Labrador	1	0	1	0.19	3	3	6	0.10
Prince Edward Island	0	0	0	0.00	0	0	0	0.00
Nova Scotia	36	15	51	5.25	75	80	155	1.48
New Brunswick	7	3	10	1.29	13	4	17	0.20
Quebec	54	3	57	0.67	273	33	306	0.34
Ontario	187	129	316	2.17	1,083	541	1,624	1.06
Manitoba	2	0	2	0.15	30	2	32	0.22
Saskatchewan	4	7	11	0.94	20	16	36	0.29
Alberta	21	10	31	0.71	120	39	159	0.35
British Columbia	27	3	30	0.59	117	10	127	0.24
Yukon	2	0	2	4.90	3	0	3	0.67
Northwest Territories	0	0	0	0.00	2	0	2	0.41
Nunavut	0	0	0	0.00	1	0	1	0.26
Canada	341	170	511	1.36	1,740	728	2,468	0.62

1. This rate is the average of the annual rates from 2009 to 2019.

Note: This analysis is based on aggregate data, and counts are based on the most serious violation in a criminal incident. Rates are calculated on the basis of 100,000 population. Populations are based upon July 1st estimates from Statistics Canada, Centre for Demography. The Uniform Crime Reporting Survey was amended partway through 2011 to allow police services to report the specific offence of human trafficking under the *Immigration and Refugee Protection Act*. Once the specific violation code was introduced, a small number of incidents which took place prior to this date were reported.

Source: Statistics Canada, Canadian Centre for Justice and Community Safety Statistics, Uniform Crime Reporting Survey.

Table 2
Police-reported human trafficking incidents, by census metropolitan area, 2009 to 2019

Census metropolitan area (CMA) ¹	Human trafficking incidents reported in 2019 only				Total human trafficking incidents reported (2009 to 2019)			
	<i>Criminal Code</i>	<i>Immigration and Refugee Protection Act</i>	Total	rate	<i>Criminal Code</i>	<i>Immigration and Refugee Protection Act</i>	Total	average annual rate ²
	number	number	number	rate	number	number	number	rate
St. John's	0	0	0	0.00	1	3	4	0.18
Halifax	30	15	45	10.22	57	80	137	2.94
Moncton ³	1	0	1	0.61	..	..	..	..
Saint John ³	0	0	0	0.00	..	..	..	..
Saguenay	0	0	0	0.00	0	0	0	0.00
Québec	11	1	12	1.47	42	2	44	0.50
Sherbrooke	0	0	0	0.00	1	0	1	0.05
Trois-Rivières	0	0	0	0.00	0	0	0	0.00
Montréal	35	2	37	0.86	186	14	200	0.44
Ottawa-Gatineau (Quebec part)	4	0	4	1.18	28	0	28	0.77
Ottawa-Gatineau (Ontario part)	34	1	35	3.21	273	9	282	2.51
Kingston	0	3	3	1.73	0	19	19	1.02
Belleville ⁴	3	1	4	3.54	..	..	..	..
Peterborough	1	2	3	2.33	13	4	17	1.23
Toronto ⁵	40	45	85	1.47	343	196	539	0.89
Hamilton ⁶	10	12	22	3.83	52	46	98	1.60
St. Catharines-Niagara	7	24	31	6.47	27	37	64	1.25
Kitchener-Cambridge-Waterloo	6	0	6	1.01	31	10	41	0.67
Brantford	2	0	2	1.33	7	4	11	0.69
Guelph	1	0	1	0.70	6	2	8	0.53
London	15	6	21	3.83	64	27	91	1.59
Windsor	5	6	11	3.10	13	60	73	1.95
Barrie	10	4	14	5.51	21	19	40	1.57
Greater Sudbury	8	0	8	4.74	22	1	23	1.25
Thunder Bay	11	0	11	8.73	14	6	20	1.45
Winnipeg	0	0	0	0.00	20	1	21	0.24
Regina	1	1	2	0.76	4	5	9	0.33
Saskatoon	3	6	9	2.68	7	10	17	0.48
Lethbridge ⁴	0	0	0	0.00	..	..	..	..
Calgary	8	1	9	0.59	42	7	49	0.32
Edmonton	5	8	13	0.90	36	28	64	0.43
Kelowna	2	0	2	0.93	13	0	13	0.59
Abbotsford-Mission	0	0	0	0.00	1	0	1	0.05
Vancouver	13	2	15	0.56	67	6	73	0.26
Victoria	6	0	6	1.49	8	0	8	0.19
CMA total⁷	294	141	435	1.61	1,549	610	2,159	0.76

See notes at the end of the table.

Table 2 — end
Police-reported human trafficking incidents, by census metropolitan area, 2009 to 2019

Census metropolitan area (CMA) ¹	Human trafficking incidents reported in 2019 only			Total human trafficking incidents reported (2009 to 2019)				
	<i>Criminal Code</i>	<i>Immigration and Refugee Protection Act</i>	Total	<i>Criminal Code</i>	<i>Immigration and Refugee Protection Act</i>	Total		average annual rate ²
	number		rate	number				
Non-CMA total	47	29	76	0.72	191	118	309	0.27
Canada	341	170	511	1.36	1,740	728	2,468	0.62

.. not available for a specific reference period

1. A CMA consists of one or more neighbouring municipalities situated around a major urban core. A CMA must have a total population of at least 100,000, of which 50,000 or more live in the urban core. To be included in the CMA, adjacent municipalities must have a high degree of integration with the central urban area, as measured by commuting flows derived from census data. A CMA typically comprises more than one police service. CMA populations have been adjusted to follow policing boundaries. The Oshawa CMA is excluded from this table due to the incongruity between the police service jurisdictional boundaries and the CMA boundaries.

2. This rate is the average of the annual rates from 2009 to 2019.

3. Part way through 2013, the Royal Canadian Mounted Police revised policing boundaries for rural detachments in New Brunswick. This resulted in a change in the CMA boundaries that are determined for the purpose of reporting crime statistics. As such, data from 2014 to 2019 for the New Brunswick CMAs of Saint John and Moncton are not comparable to previous years.

4. Following the 2016 Census of Population, Belleville and Lethbridge were reclassified as census metropolitan areas. As such, data for the entire 11-year period are not available.

5. Excludes the portions of Halton Regional Police and Durham Regional Police that police the CMA of Toronto.

6. Excludes the portion of Halton Regional Police that polices the CMA of Hamilton.

7. Includes Halton Regional Police and Durham Regional Police, which are responsible for policing more than one CMA. This total also includes the portion of Durham Regional Police that polices the Oshawa CMA. May also include a small number of offences that occurred outside of a CMA, as 4% of the population policed by Durham Regional Police Service falls outside the boundaries of a CMA. Because of these inclusions, the CMA total will not equal the total of the individual CMAs.

Note: This analysis is based on aggregate data, and counts are based on the most serious violation in a criminal incident. Rates are calculated on the basis of 100,000 population. Populations are based upon July 1st estimates from Statistics Canada, Centre for Demography. The Uniform Crime Reporting Survey was amended partway through 2011 to allow police services to report the specific offence of human trafficking under the *Immigration and Refugee Protection Act*. Once the specific violation code was introduced, a small number of incidents which took place prior to this date were reported.

Source: Statistics Canada, Canadian Centre for Justice and Community Safety Statistics, Uniform Crime Reporting Survey.