

REPORT
1998 June 22

CITY OF BURNABY
COMMUNITY POLICING COMMITTEE

*HIS WORSHIP, THE MAYOR
AND COUNCILLORS*

RE: REPORT OF THE CITY OF BURNABY'S TASK FORCE ON THE SEXUAL
EXPLOITATION AND PROSTITUTION OF CHILDREN AND YOUTH

RECOMMENDATIONS:

1. **THAT** Council endorse the Task Force recommendations presented in Section 3.0 of the attached report.
2. **THAT** Council forward both the Task Force Report and this staff report to the Community Issues and Social Planning Committee and the Family Court and Youth Justice Committee for their information.
3. **THAT** Council forward both the Task Force Report and this staff report to the Social Issues Subcommittee of the Greater Vancouver Regional District's Technical Advisory Committee.
4. **THAT** Council direct staff to investigate, with the City of New Westminster, possible areas for collaboration on implementing the Task Force recommendations.
5. **THAT** Council direct staff to forward copies of the Task Force Report and the attached report to the Chief Executive Officers of all organizations and agencies represented on the Task Force.
6. **THAT** Council authorize staff to make the Task Force Report available to relevant organizations and the general public, upon request.

REPORT

The Community Policing Committee, at its meeting held on 1998 June 11, received the attached report outlining the recommendations of the City's Task Force on the Sexual Exploitation and Prostitution of Children and Youth.

For the information of Council, copies of the Task Force Report are available under separate cover.

: COPY - CITY MANAGER - DEP. MGR.-CORP. LAB. REL. - DIR. PLNG. & BLDG. - DIR. PARKS, REC. & CULT. SERV. - OFFICER-IN-CHARGE, R.C.M.P.

Respectfully submitted,

Councillor D. Evans,
Chair

Councillor J. Young,
Vice Chair

TO: COMMUNITY POLICING COMMITTEE 1998 JUNE 04
FROM: DIRECTOR PLANNING AND BUILDING OUR FILE: 17.317
**SUBJECT: REPORT OF THE CITY OF BURNABY'S TASK FORCE ON THE
SEXUAL EXPLOITATION AND PROSTITUTION OF CHILDREN
AND YOUTH**
PURPOSE: To convey to Committee and Council the recommendations of the City's Task
Force on the Sexual Exploitation and Prostitution of Children and Youth.

RECOMMENDATIONS:

1. **THAT** the Committee request Council to:
 - a. endorse the Task Force recommendations presented in Section 3.0 of this report.
 - b. forward both the Task Force Report and this staff report to the Community Issues & Social Planning Committee and the Family Court & Youth Justice Committee for their information.
 - c. forward both the Task Force Report and this staff report to the Social Issues Subcommittee of the Greater Vancouver Regional District's Technical Advisory Committee.
 - d. direct staff to investigate, with the City of New Westminster, possible areas for collaboration on implementing the Task Force recommendations.
 - e. direct staff to forward copies of the Task Force Report and this report to the Chief Executive Officers of all organizations and agencies represented on the Task Force.
 - f. authorize staff to make the Task Force Report available to relevant organizations and the general public, upon request.

REPORT

1.0 BACKGROUND

At its meeting of 1997 April 7, Burnaby City Council established a Task Force on the Sexual Exploitation and Prostitution of Children and Youth as a subcommittee of the Community Policing Committee. The task of the group was to develop, within one year, a Burnaby-based strategy to address the sexual exploitation and prostitution of children and youth. The membership list of the Task Force is *attached* as Appendix 1.

In response to its mandate, the Task Force has prepared a report which has been forwarded to Committee members under separate cover. The report provides overviews of the issues facing sexually exploited children and youth, the legal context for prostitution, and services currently available in Burnaby to sexually exploited children and youth. It also highlights a number of actions which the Task Force believes need to be taken - by a variety of participants - to address the problem. The Task Force Report contains a number of Appendices including the Task Force's Terms of Reference, Task Force membership, and the Task Force's actual recommendations to Burnaby City Council. Those recommendations provide considerable detail on implementation and follow-up, including proposed membership and job descriptions for various committees the Task Force believes need to be established to further the work it has begun.

The purpose of this report is to forward an abbreviated form of the Task Force's recommendations to the Committee and Council. The recommendations outline what Task Force members believe the City of Burnaby could and should do to address the sexual exploitation of Burnaby children and youth in the sex trade.

2.0 OVERVIEW OF REQUIRED ACTIONS

The Task Force's recommendations involve the establishment by the City of Burnaby of a number of committees to examine ways to take action and bring about the desired changes. To assist in understanding the recommendations, the actual service, legislative and other changes the Task Force believes must be made are summarized below:

- ▶ development of a community education and awareness campaign
- ▶ modification of existing youth venues in Burnaby in order to reach out to at-risk youth

- ▶ legislative and policy changes to assist in securing prosecutions against those who sexually exploit children and youth, and to render the criminal justice system safer and more comfortable for child and youth witnesses
- ▶ development of a City bylaw to regulate businesses in which children and youth are likely to be sexually exploited
- ▶ proclamation by the Province of Section 9 of the Child, Family and Community Services Act
- ▶ development of protocols, policies and procedures to facilitate better co-ordination and integration of services to sexually exploited children and youth
- ▶ integration and co-ordination in case management
- ▶ revision of the Ministry for Children and Families' (MCF) child protection risk assessment tool to include factors pertaining to sexual exploitation
- ▶ development of a connected regional, provincial and national tracking system for sexually exploited children and youth
- ▶ development of a provincial database of services
- ▶ establishment of the following services to fill gaps in the service continuum: support groups for children and youth of both genders who are at-risk for sexual exploitation; crisis sexual abuse counselling; family mediation services; street-level drop-in store-front operation(s) for outreach; youth drug and alcohol treatment facilities and programs; a safe house.
- ▶ Provincial sponsorship of a study to determine numbers of sexually exploited children and youth in British Columbia.

3.0 TASK FORCE RECOMMENDATIONS TO COUNCIL

As noted above, the recommendations of the Task Force can be found in their complete form in Appendix 5 of the Task Force's Report. They flow from the personal work experience of Task Force members as well as information gleaned from other providers of child and youth services, from other experts, from existing reports about the issue, and from Burnaby young people who told their personal stories to the Task Force. The recommendations are founded on the following three goals articulated by Task Force members:

- ▶ to prevent the sexual exploitation of children and youth
- ▶ to create the legal and procedural means to intervene when children and youth are being sexually exploited in the sex trade
- ▶ to provide support, services and treatments for sexually exploited children and youth

Some of the recommendations, such as changes to City bylaws, and the establishment of several multi-agency committees to work on various aspects of implementation, can be acted on directly by the City of Burnaby. As several involve cross-municipal issues, co-operation and collaboration with neighbouring municipalities - particularly New Westminster - could prove beneficial. Other recommendations deal with matters which fall within the jurisdiction of other levels of government, with the City's role being to forward the recommendations accordingly. The City could also invite organizations of which it is a member - the Greater Vancouver Regional District, the Union of B.C. Municipalities, and the Federation of Canadian Municipalities - to exert pressure on senior governments for the needed changes. To that end, staff could prepare appropriate resolutions for Council's consideration and submission to the 1998 Convention of the Union of B.C. Municipalities and to the Board of Directors of the Federation of Canadian Municipalities.

The Task Force's recommendations to Burnaby City Council, in an abbreviated form, are as follows:

1. **THAT** the City extend the lifespan of the Task Force (with some membership modifications) by one year and provide it with a mandate to develop a comprehensive community education and awareness campaign (such body, for the purposes of this report, to be called the Implementation Committee).

The Implementation Committee would also be charged with monitoring progress on the remaining Task Force recommendations and with overseeing the work of other committees which it recommends be established.

2. **THAT** the City of Burnaby request the Attorney-General of British Columbia to strike a working committee to review existing Federal and Provincial legislation, including Sections 212, 280, 281¹ and 810 of the Criminal Code of Canada, and various Provincial policies relating to court procedures, and to lobby for or implement the changes necessary to:

- ▶ ensure effective prosecution of those persons who are sexually exploiting children and youth

¹Subsequent to the Task Force's sign-off on its recommendations, the RCMP have suggested that the recommended changes to Sections 280 and 281 could result in undesirable ramifications. While the change to a hybrid from a straight indictable offense could render the court process more comfortable for children and youth, it would also reduce the severity of the penalty to the sexual abuser.

- ▶ maintain the safety and well being of children and youth throughout their involvement with the criminal justice system.

3. **THAT** the City of Burnaby:

- a. petition the Province, under Section 221 of the Municipal Act, for powers to prohibit certain types of businesses from hiring children or allowing children under the age of 19 years to frequent their premises - such businesses to include but not be limited to massage parlours, body rub parlours, escort agencies, health enhancement centres, karaoke establishments, adult pornography film studios and phone sex lines - in order to prevent the possible sexual exploitation of children and youth.
- b. direct the City Solicitor, if the powers noted above are granted, to develop a bylaw to make it illegal for anyone under the age of 19 years to work in or frequent establishments where they are likely to be allowed, encouraged, forced or paid to engage in sexual activities, such establishments to include, but not be limited to, those outlined above. Powers of inspection of said establishments by police and City Bylaw Enforcement Officers would be included in the bylaw.

4. **THAT** the City of Burnaby continue its current efforts within the Federation of Canadian Municipalities to lobby the Federal Government to increase the age of consent within the Criminal Code from 14 years to 16 years.

5. **THAT** the City of Burnaby request the Provincial Minister for Children and Families to review and, if necessary, revise the risk assessment tool currently in use within the Ministry, to include assessment factors which will assist in the identification of children/youth who are at risk for being sexually exploited.

6. **THAT** the City of Burnaby request the Minister for Children and Families to proclaim, and provide the appropriate resources to implement, Section 9 of the provincial Child, Family and Community Services Act.

Section 9 enables the Ministry to enter into agreements with youth who have left home, in order to provide them with services and financial resources, without the necessity for the youth to come under the guardianship of the State.

7. **THAT** the City of Burnaby take the lead in establishing a Burnaby-based multi-agency working committee (henceforth referred to as the Protocol Committee) to develop protocols, policies and procedures for co-ordinating and integrating services and supports at the local level for children and youth who are being, have been, or are at-risk of being sexually exploited in the sex trade.

The Protocol Committee's mandate would also include information sharing, the development of a mechanism to monitor the number of Burnaby children and youth involved in the sex trade, and the identification of existing youth centres in Burnaby which could be modified to better attract at-risk youth.

8. **THAT** the Protocol Committee (identified in Recommendation #7) be charged with the creation of a locally-based Integrated Case Management Committee which would plan and implement responses to the immediate crisis needs and the longer term needs of individual sexually exploited children and youth. This committee would consist of existing front-line workers from service agencies in Burnaby.
9. **THAT** the City of Burnaby take the lead in forging a partnership with the Burnaby RCMP, the Burnaby Regional Operating Agency for the Ministry for Children and Families, and the providers of Reconnect services in order to develop protocols for tracking transient sexually exploited and missing children and youth. Where appropriate, parents of missing children should be consulted as part of this work. Protocols need to be established to:
- ▶ ensure the RCMP notifies MCF of reports of missing children and youth
 - ▶ ensure MCF provides Reconnect with the missing children and youth reports, as well as information about Children in Care who are AWOL
10. **THAT** the City of Burnaby request the Minister for Children and Families to allocate resources and the appropriate technology to Reconnect programs in order to improve the speed and accuracy of tracking transient sexually exploited children and youth.
11. **THAT** the City of Burnaby, through the Ministry of Attorney General and the Ministry for Children and Families, request that the Provincial Assistant Deputy Ministers' Committee on Prostitution work toward the development of a connected provincial, regional and national information system to facilitate monitoring the movements of sexually exploited children and youth.
12. **THAT** the City of Burnaby, through the Ministry of Attorney General and the Ministry for Children and Families, request that the Provincial Assistant Deputy Ministers' Committee on Prostitution work with communities toward the development and

maintenance of a provincial list/database of all relevant community services for sexually exploited children and youth. The database/list should be made available to service providers and, in a youth-friendly format, to youth. With regard to the latter, the information could potentially be merged with existing information resources for youth.

13. **THAT** the City of Burnaby, through the Ministry of Attorney General and the Ministry for Children and Families, request that the Provincial Assistant Deputy Ministers' Committee on Prostitution carry out a province-wide study to determine the numbers of children and youth that are currently being exploited within the sex trade. Data from the study should be made available in a format which can be used at the regional and municipal levels for planning responses and services.
14. **THAT** the City of Burnaby work with the Burnaby detachment of the RCMP to determine how best to focus policing resources to facilitate the implementation of those recommendations requiring the involvement of the RCMP.
15. **THAT** the City of Burnaby take the lead in establishing a Burnaby-based multi-agency working committee (henceforth referred to as the Services Committee) to work towards the development of services to fill gaps in a desired continuum of services for children and youth (and their families) who are being, have been, or are at-risk of being sexually exploited. Services required to fill the gaps include:
 - ▶ professionally-led support groups for children and youth of both genders who are at-risk for sexual exploitation to provide connection and support
 - ▶ crisis sexual abuse counselling for children and youth and their families
 - ▶ family mediation services
 - ▶ street-level drop-in store-front operation(s) offering support and outreach to children/youth who are being sexually exploited within the sex trade.
 - ▶ youth drug and alcohol treatment facilities and programs, including short term detox facilities, long term residential treatment facilities, and non-residential support programs.
 - ▶ a safe house.

To summarize, the Task Force is recommending that the City:

- ▶ establish three separate locally-based multi-agency committees - the Implementation Committee, the Protocol Committee and the Services Committee - to work on various aspects of service delivery and public education around the issue of child and youth sexual exploitation;

- ▶ pass a bylaw to regulate escort agencies and similar types of business;
- ▶ forward requests to senior levels of government for a review of several sections of the Criminal Code of Canada as well as provincial policies pertaining to the court process and the identification of at-risk children and youth;
- ▶ ask the Province to provide resources on several fronts to address the sexual exploitation of children and youth in the sex trade.

4.0 IMPLEMENTATION

Initially, the key role in the implementation of the Task Force's recommendations would be played by the Implementation Committee. Diagram 1 below depicts the role of that committee in relation to the other committees. It also depicts where responsibility for furthering each of the recommendations lies.

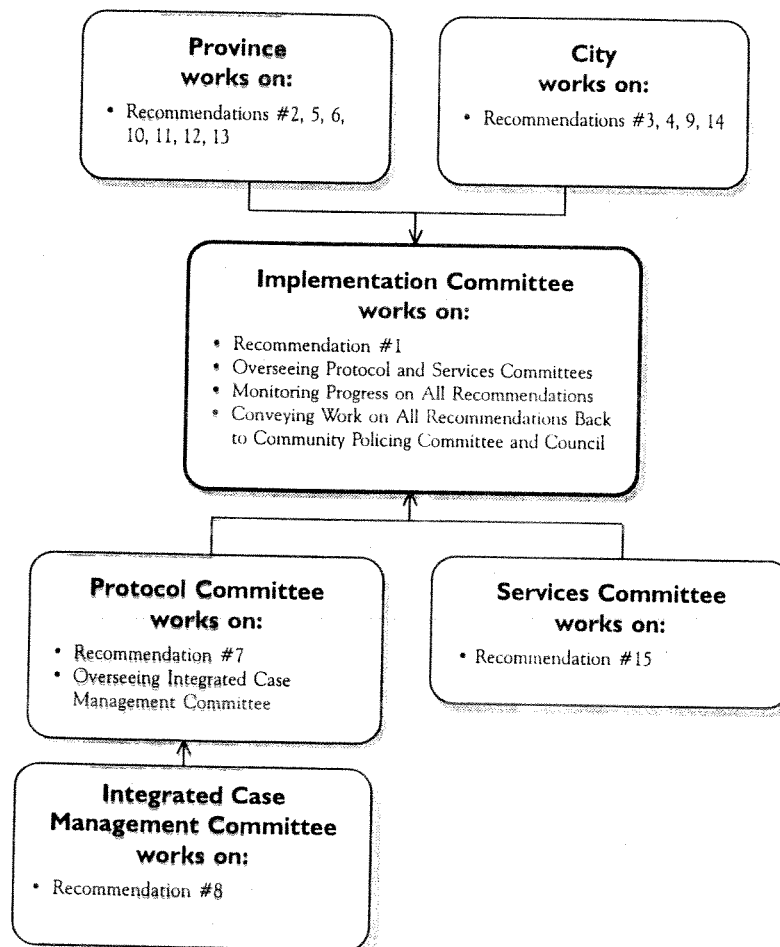


Diagram 1
**Proposed Process for Co-ordination
 of Implementation Actions**

From the resource perspective, most of the Task Force's recommendations would require considerable discussion and co-operation among a wide range of government representatives, community members, service providers and sexually-exploited children and youth. Similarly, within the City's own structure, considerable collaboration would be required among the Parks, Recreation and Cultural Services, Finance, Planning and Legal Departments, and the Burnaby detachment of the RCMP.

In addition to the staff resources which would be required to further the Task Force's work, financial resources would be required. As the Implementation Committee is key, an obvious and immediate need would be for funds to cover the costs of a facilitator for its work on the development of the awareness campaign. Those costs are estimated to be \$10,000. The Province recently announced the allocation of \$5,000 to each task force in British Columbia - including Burnaby's - which is working on the issue of child and youth sexual exploitation. The remaining \$5,000 required for the Implementation Committee's work could be accommodated within the Community Policing Committee's 1998 budget.

Over the course of the next year, the Implementation, Protocol and Services Committees would, as part of their work, develop estimates for the resources which will be required for the public awareness campaign and to ensure the desired services materialize. The RCMP would also have had a chance to study resource implications. Once those estimates were known, and reported to the Community Policing Committee and Council, emphasis would be placed on a search for external funding sources given that jurisdiction over most of the areas in which resources would be required belongs to senior levels of government.

5.0 CONCLUSION

This report has outlined the amendments and additions to services and legislation which the City's Task Force on the Sexual Exploitation and Prostitution of Children and Youth believes need to be made to address the sexual exploitation of Burnaby children and youth in the sex trade. The report presents the Task Force's recommendations to Council in an abbreviated form (the actual recommendations, including considerable detail on implementation and follow-up, can be found in Appendix 5 of the Task Force's report).

The initial financial implications for the City to further the Task Force's work are minimal. Once the Implementation, Protocol and Services Committees have completed their work, an estimate of the resources required to launch a public awareness campaign and to implement the required services will be available. Funding the services - be they a safe house, a youth detox facility or crisis sexual abuse counselling - falls primarily within the jurisdiction of the Provincial government.

Staff recommend that the Task Force recommendations be adopted. Staff further recommend that the City seek the co-operation of organizations of which the City is a member, including the GRVD through its Social Issues Subcommittee², the UBCM and the FCM, in pressing the Provincial and Federal governments to accept responsibility for the required legislative and service changes. To that end, staff would prepare resolutions for Council's consideration and submission to both the UBCM and the FCM. It is also recommended that the City explore, with the City of New Westminster, the possibility of sharing services and programs, and the costs of the public awareness campaign. Finally, it is recommended that staff be authorized to distribute the Task Force report to relevant organizations and to the general public upon request.



D.G. Stenson, Director
Planning & Building

JS/sa

cc: City Manager
Deputy City Manager, Labour Relations
Director Finance
Director Parks, Recreation and Cultural Services
OIC - Burnaby RCMP
City Solicitor

²The Social Issues Subcommittee of the GVRD's Technical Advisory Committee includes social planners from GVRD municipalities, as well as representatives from the Social Planning & Research Council (SPARC of B.C.) and the United Way.

